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Agenda item 47

Effects of atomic radiation

Report of the Special Political and Decolonization Committee (Fourth Committee)

Rapporteur: Mr. Awale Ali **Kullane** (Somalia)

I. Introduction

1. At its 2nd plenary meeting, on 16 September 2016, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its seventy-first session the item entitled "Effects of atomic radiation" and to allocate it to the Special Political and Decolonization Committee (Fourth Committee).

2. The Fourth Committee considered the item, held a general debate and took action on the item at its 18th meeting, on 28 October 2016 (see A/C.4/71/SR.18).

3. For its consideration of the item, the Committee had before it the report of the United Nations Scientific Committee on the Effects of Atomic Radiation (A/71/46).

4. At the 18th meeting, on 28 October, the representative of Japan, in his capacity as Chair of the United Nations Scientific Committee on the Effects of Atomic Radiation, made a statement on the work of the Committee (see A/C.4/71/SR.18).

II. Consideration of draft resolution A/C.4/71/L.5

5. At the 18th meeting, on 28 October, the representative of Japan, on behalf of Argentina, Armenia, Bangladesh, Belarus, Belgium, Bosnia and Herzegovina, Canada, Czechia, Estonia, Finland, France, Greece, Japan, Latvia, Luxembourg, Mexico, Monaco, Palau, Poland, Portugal, Republic of Korea, Singapore, Slovakia, Slovenia, Switzerland, Thailand, Turkey, Ukraine and the United States of America, introduced a draft resolution entitled "Effects of atomic radiation" (A/C.4/71/L.5).

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Subsequently, Peru, the Russian Federation, Spain and the former Yugoslav Republic of Macedonia joined in sponsoring the draft resolution.

6. At the same meeting, the Committee was informed that the draft resolution had no programme budget implications.

7. Also at the same meeting, the Committee adopted draft resolution A/C.4/71/L.5 without a vote (see para. 8).

III. Recommendation of the Special Political and Decolonization Committee (Fourth Committee)

8. The Special Political and Decolonization Committee (Fourth Committee) recommends to the General Assembly the adoption of the following draft resolution:

Effects of atomic radiation

The General Assembly,

Recalling its resolution 913 (X) of 3 December 1955, by which it established the United Nations Scientific Committee on the Effects of Atomic Radiation, and its subsequent resolutions on the subject, in which, inter alia, it requested the Scientific Committee to continue its work,

Concerned about the potentially harmful effects on present and future generations resulting from the levels of radiation to which humankind and the environment are exposed,

Conscious of the continuing need to examine and compile information about atomic and ionizing radiation and to analyse its effects on humankind and the environment, and conscious also of the increased volume, complexity and diversity of that information,

Acknowledging the concerns about the radiological consequences of nuclear accidents,

Reaffirming the desirability of the Scientific Committee continuing its work, and welcoming the increased commitment of States members of the Committee,

Emphasizing the vital need for sufficient, assured and predictable funding, as well as efficient management, of the work of the secretariat of the Scientific Committee to arrange the annual sessions and coordinate the development of documents based on scientific reviews of the sources of ionizing radiation and its effects on human health and the environment,

Recognizing the increasing importance of the scientific work of the Scientific Committee and the need to carry out unforeseen additional work, such as after the accident at the Fukushima Daiichi nuclear power station,

Considering that the high quality of the work and the scientific rigour of the Scientific Committee need to be maintained in the future,

Recognizing the importance of disseminating the findings of the Scientific Committee, in particular to the public, and widely publicizing scientific knowledge about atomic radiation, and recalling in that context principle 10 of the Rio Declaration on Environment and Development,[1]

[1] *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992*, vol. I, *Resolutions Adopted by the Conference* (United Nations publication, Sales No. E.93.I.8 and corrigendum), resolution 1, annex I.

Noting the desirability that the resources of the Scientific Committee be sufficient, assured and predictable, and recognizing the importance of voluntary contributions to the general trust fund established by the Executive Director of the United Nations Environment Programme to support the work of the Committee,

1. *Commends* the United Nations Scientific Committee on the Effects of Atomic Radiation for the valuable contribution that it has been making since its inception to wider knowledge and understanding of the levels, effects and risks of exposure to ionizing radiation and for fulfilling its original mandate with scientific authority and independence of judgment;

2. *Reaffirms* the decision to maintain the present functions and independent role of the Scientific Committee;

3. *Notes with appreciation* the work of the Scientific Committee, and takes note of the report on its sixty-third session,[2] including the consideration of its long-term strategic directions, and encourages the Committee, over its coming sessions, to work towards implementing strategies to support its efforts to serve the scientific community as well as wider audiences;

4. *Appreciates* that the Scientific Committee has made arrangements for activities to follow up on its 2013 evaluation of the levels and effects of radiation exposure due to the nuclear accident after the 2011 great east-Japan earthquake and tsunami, such as the systematic review of scientific information that has been published since the completion of the Committee's evaluation,[3] welcomes the publication of the second review, and encourages the secretariat of the Committee to disseminate the findings of the Committee's systematic reviews, in particular, to the public;

5. *Welcomes* the four substantive scientific evaluations completed by the Scientific Committee during its sixty-third session, as presented in its report, notes with appreciation the Committee's reports on the methodology for estimating public exposures due to radioactive discharges, on radiation exposures from electricity generation and on biological effects of selected internal emitters (tritium and radioisotopes of uranium),[4] and looks forward to the publication of the supporting scientific annexes thereto;

6. *Requests* the Scientific Committee to continue its work, including its important activities to increase knowledge of the levels, effects and risks of ionizing radiation from all sources, and to report thereon to the General Assembly at its seventy-second session;

7. *Supports* the intentions and plans of the Scientific Committee for conducting its programme of work of scientific review and assessment on behalf of the General Assembly, in particular its next periodic global surveys of radiation exposure, to be conducted in close cooperation with other relevant organizations, and requests the Committee to submit plans for its ongoing and future programme of work to the Assembly at its seventy-second session;

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[2] *Official Records of the General Assembly, Seventy-first Session, Supplement No. 46* (A/71/46).

[3] Ibid., chap. II, sect. B.

[4] Ibid., chap. III.

8. *Welcomes* developments in streamlining procedures for publishing the reports of the Scientific Committee electronically on its official website and as sales publications, and calls upon the secretariat to monitor the timely publication of those reports and to continue to strive to publish them within the same calendar year as their approval;

9. *Re-emphasizes* the need for the Scientific Committee to hold regular sessions on an annual basis so that its report can reflect the latest developments and findings in the field of ionizing radiation and thereby provide updated information for dissemination among all States;

10. *Invites* the Scientific Committee to continue its consultations with scientists and experts from interested Member States in the process of preparing its future scientific reports, and requests the secretariat to facilitate such consultations;

11. *Welcomes*, in this context, the readiness of Member States to provide the Scientific Committee with relevant information on the levels and effects of ionizing radiation, and invites the Committee to analyse and give due consideration to such information, particularly in the light of its own findings;

12. *Recalls* the strategy of the Scientific Committee to improve data collection, encourages in this regard Member States, the organizations of the United Nations system and non-governmental organizations concerned to provide further relevant data about levels, effects and risks of radiation exposure from various sources, which would greatly help in the preparation of future reports of the Committee to the General Assembly, and encourages the International Atomic Energy Agency, the World Health Organization, the International Labour Organization and other relevant organizations to further collaborate with the secretariat on arrangements for the collection, analysis and dissemination of data on radiation exposures of patients, workers and the public;

13. *Welcomes* the use and ongoing development by the secretariat of an online platform for collecting data on medical exposures, encourages Member States to take part in the Scientific Committee's global surveys of radiation exposure, and also encourages Member States to nominate a national contact person to facilitate coordination of the collection and submission of data on exposures of patients, workers and the public within their country;

14. *Requests* the United Nations Environment Programme to continue, within existing resources, to actively support the effective conduct of the work of the Scientific Committee and the dissemination of its findings to Member States, the scientific community and the public;

15. *Takes note*, in this regard, of the Scientific Committee's outreach strategy for the coming years, in particular the enhancement of the website of the Committee and the publication of informative leaflets and posters in all the official languages of the United Nations, and continues to encourage that consideration be given to publishing the website in all of those languages;

16. *Encourages* the United Nations Environment Programme to continue to maintain appropriate funding for the Scientific Committee, pursuant to paragraph 15 of General Assembly resolution 70/81 of 9 December 2015;

17. *Encourages* Member States to make voluntary contributions to the general trust fund established by the Executive Director of the United Nations Environment Programme and also to make contributions in kind, in order to support the work of the Scientific Committee, and the dissemination of its findings, in a sustainable manner;

18. *Recalls* paragraph 19 of General Assembly resolution 66/70 of 9 December 2011, notes the expression of interest by Member States in membership in the Scientific Committee, and requests the Secretary-General to provide the Assembly at its seventy-second session with a list of the Member States that have expressed their particular interest in membership in the Committee by 11 September 2017, for consideration for membership pursuant to the above-mentioned paragraph.

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Agenda item 48

International cooperation in the peaceful uses of outer space

Report of the Special Political and Decolonization Committee (Fourth Committee)

Rapporteur: Mr. Awale Ali **Kullane** (Somalia)

I. Introduction

1. At its 2nd plenary meeting, on 16 September 2016, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its seventy-first session the item entitled "International cooperation in the peaceful uses of outer space" and to allocate it to the Special Political and Decolonization Committee (Fourth Committee).

2. The Fourth Committee considered the item at its 8th and 9th meetings, on 11 and 13 October. Statements and observations made in the course of the Committee's consideration of the item are reflected in the relevant summary records.[1]

3. For its consideration of the item, the Committee had before it the report of the Committee on the Peaceful Uses of Outer Space (A/71/20).

4. At its 1st meeting, on 29 September, the Committee decided to establish a Working Group of the Whole on international cooperation in the peaceful uses of outer space, chaired by the delegation of Canada, to prepare proposals to be submitted under the item.

5. At the 8th meeting, on 11 October, the Chair of the Committee on the Peaceful Uses of Outer Space introduced the report of that Committee.

II. Consideration of draft resolution A/C.4/71/L.2/Rev.1

6. At the 12th meeting, on 19 October, the representative of Canada, in his capacity as representative of the Chair of the Working Group of the Whole,

[1] A/C.4/71/SR.8 and A/C.4/71/SR.9.

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introduced a draft resolution entitled "International cooperation in the peaceful uses of outer space" (A/C.4/71/L.2/Rev.1).

7. At the same meeting, the Committee was informed that the draft resolution had no programme budget implications.

8. Also at the same meeting, the Committee adopted draft resolution A/C.4/71/L.2/Rev.1 without a vote (see para. 9).

III. Recommendations of the Special Political and Decolonization Committee (Fourth Committee)

9. The Special Political and Decolonization Committee (Fourth Committee) recommends to the General Assembly the adoption of the following draft resolution:

International cooperation in the peaceful uses of outer space

The General Assembly,

Recalling its resolutions 51/122 of 13 December 1996, 54/68 of 6 December 1999, 59/2 of 20 October 2004, 61/110 and 61/111 of 14 December 2006, 62/101 of 17 December 2007, 62/217 of 22 December 2007, 65/97 of 10 December 2010, 65/271 of 7 April 2011, 66/71 of 9 December 2011, 67/113 of 18 December 2012, 68/50 of 5 December 2013, 68/74 and 68/75 of 11 December 2013, 69/85 of 5 December 2014, 70/82 of 9 December 2015 and 70/230 of 23 December 2015,

Emphasizing the significant progress in the development of space science and technology and their applications that has enabled humans to explore the universe, and the extraordinary achievements made in space exploration efforts, including deepening the understanding of the planetary system and the Sun and the Earth itself, in the use of space science and technology for the benefit of all humankind and in the development of the international legal regime governing space activities,

Recognizing, in that regard, the unique platform at the global level for international cooperation in space activities represented by the Committee on the Peaceful Uses of Outer Space and its Scientific and Technical Subcommittee and Legal Subcommittee and assisted by the Office for Outer Space Affairs of the Secretariat,

Emphasizing the fiftieth anniversary of the United Nations Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE+50), to be commemorated in 2018, which will be an opportunity to consider the current status and chart the future of the contribution of the Committee to global governance of outer space activities, and for which the Committee and its subsidiary bodies have made progress in the preparatory work for their thematic sessions in 2018,

Deeply convinced of the common interest of all humankind in promoting and expanding the exploration and use of outer space, as the province of all humankind, for peaceful purposes and in continuing efforts to extend to all States the benefits derived therefrom, and also of the importance of international cooperation in this field, for which the United Nations should continue to provide a focal point,

Reaffirming the importance of international cooperation in developing the rule of international law, including the relevant norms of international space law and their important role in international cooperation for the exploration and use of outer space for peaceful purposes, and of the widest possible adherence to international treaties that promote the peaceful uses of outer space in order to meet emerging new challenges, especially for developing countries,

Seriously concerned about the possibility of an arms race in outer space, and bearing in mind the importance of article IV of the Treaty on Principles Governing

the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies,[1]

Recognizing that all States, in particular those with major space capabilities, should contribute actively to the prevention of an arms race in outer space with a view to promoting and strengthening international cooperation in the exploration and use of outer space for peaceful purposes,

Deeply concerned about the fragility of the space environment and the challenges to the long-term sustainability of outer space activities, in particular the impact of space debris which is an issue of concern to all nations,

Noting the progress achieved in the development of peaceful space exploration and applications as well as in various national and cooperative space projects, and the importance of further developing the legal framework to strengthen international cooperation in space,

Convinced that space science and technology and their applications, including satellite communications, Earth observation systems and satellite navigation technologies, provide indispensable tools for viable long-term solutions for sustainable development and can contribute more effectively to efforts to promote the development of all countries and regions of the world, and stressing in that regard the need to harness the benefits of space technology towards implementing the 2030 Agenda for Sustainable Development,[2]

Seriously concerned about the devastating impact of disasters,[3] and desirous of enhancing international coordination and cooperation at the global level in disaster management and emergency response through greater access to and use of space-based services and geospatial information for all countries and facilitating capacity-building and institutional strengthening for disaster management, in particular in developing countries,

Firmly convinced that the use of space science and technology and their applications in areas such as tele-health, tele-education, disaster management, environmental protection, natural resources management and ocean and climate monitoring contribute to achieving the objectives of the global conferences of the United Nations that address various aspects of economic, social and cultural development, particularly poverty eradication,

Deeply concerned about the devastating effects of infectious diseases, including Ebola virus disease, to the detriment of human life, society and development, and urging the international community to enhance the role of space-based solutions, in particular tele-epidemiology, in monitoring, preparedness and response activities,

Recalling the fact that the United Nations Conference on Sustainable Development, held in Rio de Janeiro, Brazil, from 20 to 22 June 2012, recognized the important role that space science and technology play in promoting sustainable development,[4]

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[1] United Nations, *Treaty Series*, vol. 610, No. 8843.

[2] Resolution 70/1.

[3] The term "disasters" refers to natural or technological disasters.

[4] Resolution 66/288, annex, para. 274.

Having considered the report of the Committee on the Peaceful Uses of Outer Space on the work of its fifty-ninth session,[5]

1. *Endorses* the report of the Committee on the Peaceful Uses of Outer Space on the work of its fifty-ninth session,[5] with the exception of the annex thereto, which, together with a preambular text and a second set of guidelines, will form a full compendium of guidelines, to be adopted by the Committee and referred to the General Assembly in 2018;[6]

2. *Agrees* that the Committee, at its sixtieth session, should consider the substantive items recommended at its fifty-ninth session,[7] taking into account the concerns of all countries, in particular those of developing countries;

3. *Notes* that, at its fifty-fifth session, the Legal Subcommittee of the Committee continued its work,[8] as mandated by the General Assembly in its resolution 70/82;

4. *Agrees* that the Legal Subcommittee, at its fifty-sixth session, should consider the substantive items and reconvene the working groups recommended by the Committee,[9] taking into account the concerns of all countries, in particular those of developing countries;

5. *Urges* States that have not yet become parties to the international treaties governing the uses of outer space[10] to give consideration to ratifying or acceding to those treaties in accordance with their national law, as well as incorporating them into their national legislation;

6. *Notes with satisfaction* that the space law curriculum developed by the Office for Outer Space Affairs of the Secretariat and published in all official languages of the United Nations could encourage further studies within States in cooperation with relevant entities in support of capacity-building efforts in space law and policy;

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[5] *Official Records of the General Assembly, Seventy-first Session, Supplement No. 20* (A/71/20).

[6] The annex to the report of the Committee, entitled "Guidelines for the long-term sustainability of outer space activities: first set", is not submitted to the General Assembly for action. The preambular text and the second set of guidelines are still to be completed to form a full compendium of guidelines, which is to be referred to the Assembly at its seventy-third session, in 2018 (see paras. 133-137 of the report).

[7] *Official Records of the General Assembly, Seventy-first Session, Supplement No. 20* (A/71/20), para. 318.

[8] Ibid., chap. II.C; and A/AC.105/1113.

[9] *Official Records of the General Assembly, Seventy-first Session, Supplement No. 20* (A/71/20), paras. 212-214.

[10] Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies (United Nations, *Treaty Series*, vol. 610, No. 8843); Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space (United Nations, *Treaty Series*, vol. 672, No. 9574); Convention on International Liability for Damage Caused by Space Objects (United Nations, *Treaty Series*, vol. 961, No. 13810); Convention on Registration of Objects Launched into Outer Space (United Nations, *Treaty Series*, vol. 1023, No. 15020); and Agreement Governing the Activities of States on the Moon and Other Celestial Bodies (United Nations, *Treaty Series*, vol. 1363, No. 23002).

7. *Notes* that, at its fifty-third session, the Scientific and Technical Subcommittee of the Committee continued its work,[11] as mandated by the General Assembly in its resolution 70/82;

8. *Agrees* that the Scientific and Technical Subcommittee, at its fifty-fourth session, should consider the substantive items and reconvene the working groups recommended by the Committee,[12] taking into account the concerns of all countries, in particular those of developing countries;

9. *Reiterates* the importance of information-sharing in discovering, monitoring and physically characterizing potentially hazardous near-Earth objects to ensure that all countries, in particular developing countries with limited capacity in predicting and mitigating a near-Earth object impact, are aware of potential threats, emphasizes the need for capacity-building for effective emergency response and disaster management in the event of a near-Earth object impact, and notes with satisfaction the establishment of and work carried out by the International Asteroid Warning Network and the Space Mission Planning Advisory Group to implement the recommendations for an international response to the near-Earth object impact threat, with the support of the Office for Outer Space Affairs, serving as the permanent secretariat of the Space Mission Planning Advisory Group;[13]

10. *Declares* 30 June International Asteroid Day to observe each year at the international level the anniversary of the Tunguska impact over Siberia, Russian Federation, on 30 June 1908 and to raise public awareness about the asteroid impact hazard;

11. *Notes with appreciation* that some States are already implementing space debris mitigation measures on a voluntary basis, through national mechanisms and consistent with the Space Debris Mitigation Guidelines of the Inter-Agency Space Debris Coordination Committee and with the Space Debris Mitigation Guidelines of the Committee on the Peaceful Uses of Outer Space,[14] endorsed by the General Assembly in its resolution 62/217, and invites other States to implement, through relevant national mechanisms, the Space Debris Mitigation Guidelines of the Committee on the Peaceful Uses of Outer Space;

12. *Considers* that it is essential that States pay more attention to the problem of collisions of space objects, especially those with nuclear power sources, with space debris, and other aspects of space debris, calls for the continuation of national research on this question, for the development of improved technology for the monitoring of space debris and for the compilation and dissemination of data on space debris, also considers that, to the extent possible, information thereon should be provided to the Scientific and Technical Subcommittee, and agrees that international

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[11] *Official Records of the General Assembly, Seventy-first Session, Supplement No. 20* (A/71/20), chap. II.B; and A/AC.105/1109.

[12] *Official Records of the General Assembly, Seventy-first Session, Supplement No. 20* (A/71/20), paras. 145-147.

[13] Ibid., para. 119; ibid., *Seventieth Session, Supplement No. 20* (A/70/20), para. 153; ibid., *Sixty-eighth Session, Supplement No. 20* (A/68/20), para. 144; and A/AC.105/1038, para. 198, and annex III.

[14] *Official Records of the General Assembly, Sixty-second Session, Supplement No. 20* (A/62/20), annex.

cooperation is needed to expand appropriate and affordable strategies to minimize the impact of space debris on future space missions;

13. *Urges* all States, in particular those with major space capabilities, to contribute actively to the goal of preventing an arms race in outer space as an essential condition for the promotion of international cooperation in the exploration and use of outer space for peaceful purposes;

14. *Requests* the Committee to continue to consider, as a matter of priority, ways and means of maintaining outer space for peaceful purposes and to report thereon to the General Assembly at its seventy-second session, and agrees that the Committee should continue to consider the broader perspective of space security and associated matters that would be instrumental in ensuring the safe and responsible conduct of space activities, including ways to promote international, regional and interregional cooperation to that end;

15. *Decides* to convene, within existing resources, a joint half-day panel discussion of the Disarmament and International Security Committee (First Committee) and the Special Political and Decolonization Committee (Fourth Committee), to constitute a joint contribution by the First and Fourth Committees to the fiftieth anniversary of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, and to include in the provisional agenda of its seventy-second session, under the item entitled "International cooperation in the peaceful uses of outer space", a sub-item entitled "Joint panel discussion of the First and Fourth Committees on possible challenges to space security and sustainability";[15]

16. *Notes with satisfaction* that the Committee, at its fifty-ninth session, agreed on seven thematic priorities of UNISPACE+50, including their objectives and mechanisms;[16]

17. *Emphasizes* the central role of the Office for Outer Space Affairs in fostering capacity-building in the use of space science and technology and their applications and in providing assistance to developing countries, at their request, in the development of national space policy and legislation in conformity with international space law, as well as in the strengthening of institutional capacity in space activities, and urges all Member States to contribute to the Trust Fund in Support of the United Nations Programme on the Peaceful Uses of Outer Space in order to enhance the capacity of the Office to provide technical and legal advisory services in its priority thematic areas;

18. *Notes with satisfaction* the workshops and symposiums held by the Office for Outer Space Affairs in 2016, and requests the Office to continue to apprise the Committee and its Scientific and Technical Subcommittee and Legal Subcommittee, at their respective sessions held in 2017, of the status of its capacity-building activities;[17]

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[15] Ibid., *Seventy-first Session, Supplement No. 20* (A/71/20), para. 273; and A/AC.105/1113, annex I, para. 19 (c).

[16] *Official Records of the General Assembly, Seventy-first Session, Supplement No. 20* (A/71/20), para. 296.

[17] Ibid., para. 60. See also A/AC.105/1107, annex II, and resolution 70/230.

19. *Recognizes* the capacity-building activities under the United Nations Programme on Space Applications, which provide unique benefits for Member States, in particular developing countries, participating in those activities;

20. *Notes with satisfaction* the tenth anniversary of the United Nations Platform for Space-based Information for Disaster Management and Emergency Response (UN-SPIDER), and recognizes the significant achievements made and the advisory support provided to 38 Member States within the framework of UN-SPIDER since its establishment in 2006[18] with the valuable contributions of its network of regional support offices, and encourages Member States, on a voluntary basis, to provide the programme with the additional resources necessary to address the increasing demand for support successfully and in a timely manner;

21. *Reiterates* the importance of the Sendai Framework for Disaster Risk Reduction 2015-2030,[19] in which the value of space-based technology and Earth observation for disaster management and emergency response is recognized, and notes with satisfaction the efforts of the Office for Outer Space Affairs and its UN-SPIDER programme towards promoting international cooperation as a way to enhance the use of space-based technologies and related services at the national and local levels;

22. *Notes with satisfaction* the continuous progress made by the International Committee on Global Navigation Satellite Systems with the support of the Office for Outer Space Affairs, in its capacity as executive secretariat of the International Committee, towards achieving compatibility and interoperability among global and regional space-based positioning, navigation and timing systems and in the promotion of the use of global navigation satellite systems and their integration into national infrastructure, particularly in developing countries, and notes with appreciation that the International Committee will hold its eleventh meeting in Sochi, Russian Federation, from 6 to 11 November 2016;

23. *Notes with appreciation* that the regional centres for space science and technology education, affiliated to the United Nations, namely, the African regional centres for space science and technology education in the French and English languages, located in Morocco and Nigeria, respectively, the Regional Centre for Space Science and Technology Education for Asia and the Pacific, located in China, the Centre for Space Science and Technology Education in Asia and the Pacific, located in India, the Regional Centre for Space Science and Technology Education for Latin America and the Caribbean, with campuses located in Brazil and Mexico, and the Centre for Space Science and Technology Education for Western Asia, located in Jordan, have continued their education programmes in 2016, encourages the regional centres to continue to promote greater participation of women in their education programmes, and agrees that the regional centres should continue to report to the Committee on the Peaceful Uses of Outer Space on their activities;

24. *Emphasizes* that regional and interregional cooperation in the field of space activities is essential to strengthen the peaceful uses of outer space, assist States in the development of their space capabilities and contribute to the implementation of the 2030 Agenda for Sustainable Development,[2] to that end

[18] Resolution 61/110.

[19] Resolution 69/283, annex II.

requests relevant regional organizations and their groups of experts to offer the assistance necessary so that countries can carry out the recommendations of regional conferences, and in that regard notes the importance of the equal participation of women in all fields of science and technology;

25. *Recognizes*, in that regard, the important role played by organizations such as the Asia-Pacific Space Cooperation Organization and the European Space Agency and by conferences and other mechanisms such as the African Leadership Conference on Space Science and Technology for Sustainable Development, the Asia-Pacific Regional Space Agency Forum and the Space Conference of the Americas in strengthening regional and international cooperation among States;

26. *Emphasizes* the need to increase the benefits of space technology and its applications and to contribute to an orderly growth of space activities favourable to sustained economic growth and sustainable development in all countries, including strengthening sustainable spatial data infrastructure at the regional and national levels and building resilience to reduce the consequences of disasters, in particular in developing countries;

27. *Reiterates* the need to promote the benefits of space technology and its applications in the major United Nations conferences and summits for economic, social and cultural development and related fields, and recognizes that the fundamental significance of space science and technology and their applications for global, regional, national and local sustainable development processes should be promoted in the formulation of policies and programmes of action and their implementation, including through efforts towards achieving the objectives of those conferences and summits and in implementing the 2030 Agenda for Sustainable Development;

28. *Encourages* Member States, to that end, to promote the inclusion in those conferences, summits and processes of the relevance of space science and technology applications and the use of space-derived geospatial data, with the involvement of the Office for Outer Space Affairs;

29. *Encourages* the Office for Outer Space Affairs to take active part in those conferences, summits and processes, and other activities in support of the objectives of UNISPACE+50, as appropriate, and to conduct capacity-building activities, hold lectures and participate in academic and research activities to foster international cooperation in the peaceful uses of outer space;

30. *Urges* the Inter-Agency Meeting on Outer Space Activities (UN-Space), under the leadership of the Office for Outer Space Affairs, to continue to examine how space science and technology and their applications could contribute to the 2030 Agenda for Sustainable Development, and encourages entities of the United Nations system to participate, as appropriate, in UN-Space coordination efforts;

31. *Encourages* the Office for Outer Space Affairs to continue to conduct capacity-building and outreach activities associated with space security and transparency and confidence-building measures in outer space activities, as appropriate, and within the context of the long-term sustainability of outer space activities;

32. *Decides* that New Zealand shall become a member of the Committee;[20]

33. *Endorses* the decision of the Committee to grant permanent observer status to the International Air Transport Association;[21]

34. *Encourages* the regional groups to promote active participation in the work of the Committee and its subsidiary bodies by the States members of the Committee that are also members of the respective regional groups.

[20] *Official Records of the General Assembly, Seventy-first Session, Supplement No. 20* (A/71/20), para. 313.

[21] Ibid., para. 315.

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United Nations Relief and Works Agency for Palestine Refugees in the Near East

Report of the Special Political and Decolonization Committee (Fourth Committee)

Rapporteur: Mr. Awale Ali **Kullane** (Somalia)

I. Introduction

1. At its 2nd plenary meeting, on 16 September 2016, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its seventy-first session the item entitled "United Nations Relief and Works Agency for Palestine Refugees in the Near East" and to allocate it to the Special Political and Decolonization Committee (Fourth Committee).

2. The Fourth Committee considered the item at its 21st, 22nd and 23rd meetings, on 2, 3 and 8 November 2016. The Committee held a general debate on the item at its 21st and 22nd meetings and took action on the item at its 23rd meeting.[1]

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (A/71/13);

(b) Report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (A/71/350);

(c) Report of the Secretary-General on persons displaced as a result of the June 1967 and subsequent hostilities (A/71/340);

(d) Report of the Secretary-General on Palestine refugees' properties and their revenues (A/71/343);

[1] See A/C.4/71/SR.21, A/C.4/71/SR.22 and A/C.4/71/SR.23.

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(e) Note by the Secretary-General transmitting the report of the United Nations Conciliation Commission for Palestine (A/71/335).

4. At its 21st meeting, on 2 November, the Committee heard a statement by the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA).

5. At the same meeting, the representative of Norway, in his capacity as Rapporteur of the Working Group on the Financing of UNRWA, introduced the report of the Working Group.

6. Also at the same meeting, the observer for the State of Palestine made a statement.

II. Consideration of proposals

7. At its 23rd meeting, on 8 November, the Committee was informed that the draft resolutions contained in documents A/C.4/71/L.7 to L.10 had no programme budget implications.

A. Draft resolution A/C.4/71/L.7

8. At the 23rd meeting, on 8 November, the representative of Indonesia, on behalf of Algeria, Bahrain, Belgium, Bolivia (Plurinational State of), Brunei Darussalam, Bulgaria, the Comoros, Cuba, Cyprus, Djibouti, Ecuador, Egypt, Indonesia, Iraq, Jordan, Kuwait, Lebanon, Malaysia, Mali, Mauritania, Monaco, Morocco, the Netherlands, Nicaragua, Oman, Qatar, Saudi Arabia, Senegal, Serbia, South Africa, the Sudan, Tunisia, the United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen and the State of Palestine, introduced a draft resolution entitled "Assistance to Palestine refugees" (A/C.4/71/L.7). Subsequently, Austria, Bangladesh, Bosnia and Herzegovina, Brazil, Croatia, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Maldives, Malta, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, Ukraine and the United Kingdom of Great Britain and Northern Ireland joined in sponsoring the draft resolution.

9. At the same meeting, the Committee adopted draft resolution A/C.4/71/L.7 by a recorded vote of 159 to 1, with 8 abstentions (see para. 18, draft resolution I). The voting was as follows:

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cabo Verde, Cambodia, Chad, Chile, China, Colombia, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czechia, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Honduras, Hungary, Iceland,

India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Israel.

Abstaining:

Cameroon, Canada, Côte d'Ivoire, Marshall Islands, Micronesia (Federated States of), Palau, Paraguay, United States of America.

B. Draft resolution A/C.4/71/L.8

10. At the 23rd meeting, on 8 November, the representative of Indonesia, on behalf of Algeria, Bahrain, Bolivia (Plurinational State of), Brunei Darussalam, the Comoros, Cuba, Djibouti, Ecuador, Egypt, Iraq, Jordan, Kuwait, Lebanon, Malaysia, Mali, Mauritania, Morocco, Nicaragua, Oman, Qatar, Saudi Arabia, Senegal, South Africa, the Sudan, Tunisia, the United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen and the State of Palestine, introduced a draft resolution entitled "Persons displaced as a result of the June 1967 and subsequent hostilities" (A/C.4/71/L.8). Subsequently, Bangladesh, Indonesia and Maldives joined in sponsoring the draft resolution.

11. At the same meeting, the Committee adopted draft resolution A/C.4/71/L.8 by a recorded vote of 156 to 6 with 6 abstentions (see para. 18, draft resolution II). The voting was as follows:

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cabo Verde, Cambodia, Chad, Chile, China, Colombia, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czechia, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Hungary, Iceland, India,

Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Canada, Israel, Marshall Islands, Micronesia (Federated States of), Palau, United States of America.

Abstaining:

Cameroon, Côte d'Ivoire, Honduras, Paraguay, Togo, Vanuatu.

C. Draft resolution A/C.4/71/L.9

12. At the 23rd meeting, on 8 November, the representative of Indonesia, on behalf of Algeria, Bahrain, Bolivia (Plurinational State of), Brunei Darussalam, the Comoros, Cuba, Djibouti, Ecuador, Egypt, Iraq, Jordan, Kuwait, Lebanon, Malaysia, Mali, Mauritania, Morocco, Nicaragua, Oman, Qatar, Saudi Arabia, Senegal, South Africa, the Sudan, Tunisia, the United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen and the State of Palestine, introduced a draft resolution entitled "Operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East" (A/C.4/71/L.9). Subsequently, Bangladesh, Indonesia, Maldives and Switzerland joined in sponsoring the draft resolution.

13. At the same meeting, the Committee adopted draft resolution A/C.4/71/L.9 by a recorded vote of 158 to 6, with 4 abstentions (see para. 18, draft resolution III). The voting was as follows:

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cabo Verde, Cambodia, Chad, Chile, China, Colombia, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czechia, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Honduras, Hungary, Iceland,

India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Canada, Israel, Marshall Islands, Micronesia (Federated States of), Palau, United States of America.

Abstaining:

Cameroon, Côte d'Ivoire, Paraguay, Vanuatu.

D. Draft resolution A/C.4/71/L.10

14. At the 23rd meeting, on 8 November, the representative of Indonesia, on behalf of Algeria, Bahrain, Belgium, Bolivia (Plurinational State of), Brunei Darussalam, Bulgaria, the Comoros, Cuba, Cyprus, Djibouti, Ecuador, Egypt, Indonesia, Iraq, Jordan, Kuwait, Lebanon, Malaysia, Mali, Mauritania, the Netherlands, Nicaragua, Oman, Qatar, Saudi Arabia, Senegal, Serbia, South Africa, the Sudan, Tunisia, the United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen and the State of Palestine, introduced a draft resolution entitled "Palestine refugees' properties and their revenues" (A/C.4/71/L.10). Subsequently, Austria, Bangladesh, Bosnia and Herzegovina, Brazil, Croatia, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Maldives, Malta, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, Ukraine and the United Kingdom of Great Britain and Northern Ireland joined in sponsoring the draft resolution.

15. At the same meeting, the Committee adopted draft resolution A/C.4/71/L.10 by a recorded vote of 156 to 6, with 6 abstentions (see para. 18, draft resolution IV). The voting was as follows:

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cabo Verde, Cambodia, Chad, Chile, China, Colombia, Congo, Costa

Rica, Croatia, Cuba, Cyprus, Czechia, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Canada, Israel, Marshall Islands, Micronesia (Federated States of), Palau, United States of America.

Abstaining:

Cameroon, Côte d'Ivoire, Honduras, Paraguay, Togo, Vanuatu.

16. Before the vote on draft resolutions A/C.4/71/L.7, A/C.4/71/L.8, A/C.4/71/L.9 and A/C.4/71/L.10, the representative of Israel made a statement in explanation of vote.

17. The observer for the State of Palestine made a statement after the adoption of the draft resolutions.

III. Recommendations of the Special Political and Decolonization Committee (Fourth Committee)

18. The Special Political and Decolonization Committee (Fourth Committee) recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I
Assistance to Palestine refugees

The General Assembly,

Recalling its resolution 194 (III) of 11 December 1948 and all its subsequent resolutions on the question, including resolution 70/83 of 9 December 2015,

Recalling also its resolution 302 (IV) of 8 December 1949, by which, inter alia, it established the United Nations Relief and Works Agency for Palestine Refugees in the Near East,

Recalling further the relevant resolutions of the Security Council,

Aware of the fact that, for more than six decades, the Palestine refugees have suffered from the loss of their homes, lands and means of livelihood,

Affirming the imperative of resolving the problem of the Palestine refugees for the achievement of justice and for the achievement of lasting peace in the region,

Acknowledging the essential role that the Agency has played for over 65 years since its establishment in ameliorating the plight of the Palestine refugees through the provision of education, health, relief and social services and ongoing work in the areas of camp infrastructure, microfinance, protection and emergency assistance,

Taking note of the report of the Commissioner-General of the Agency covering the period from 1 January to 31 December 2015,[1]

Taking note also of the update to the special report of 3 August 2015 of the Commissioner-General submitted pursuant to paragraph 21 of General Assembly resolution 302 (IV),[2] which was conveyed by the Secretary-General on 15 September 2016 to the President of the General Assembly, and expressing concern regarding the severe financial crisis of the Agency and the negative implications for the continued delivery of core programmes to the Palestine refugees in all fields of operation,

Aware of the growing needs of the Palestine refugees throughout all the fields of operation, namely, Jordan, Lebanon, the Syrian Arab Republic and the Occupied Palestinian Territory,

Expressing grave concern at the especially difficult situation of the Palestine refugees under occupation, including with regard to their safety, well-being and socioeconomic living conditions,

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[1] *Official Records of the General Assembly, Seventy-first Session, Supplement No. 13* (A/71/13).

[2] A/70/272, annex.

Expressing grave concern in particular at the grave humanitarian situation and socioeconomic conditions of the Palestine refugees in the Gaza Strip, and underlining the importance of emergency and humanitarian assistance and urgent reconstruction efforts,

Noting the signing of the Declaration of Principles on Interim Self-Government Arrangements on 13 September 1993 by the Government of Israel and the Palestine Liberation Organization[3] and the subsequent implementation agreements,

1. *Notes with regret* that repatriation or compensation of the refugees, as provided for in paragraph 11 of General Assembly resolution 194 (III), has not yet been effected, and that, therefore, the situation of the Palestine refugees continues to be a matter of grave concern and the Palestine refugees continue to require assistance to meet basic health, education and living needs;

2. *Also notes with regret* that the United Nations Conciliation Commission for Palestine has been unable to find a means of achieving progress in the implementation of paragraph 11 of General Assembly resolution 194 (III), and reiterates its request to the Conciliation Commission to continue exerting efforts towards the implementation of that paragraph and to report to the Assembly on the efforts being exerted in this regard as appropriate, but no later than 1 September 2017;

3. *Affirms* the necessity for the continuation of the work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the importance of its unimpeded operation and its provision of services, including emergency assistance, for the well-being, protection and human development of the Palestine refugees and for the stability of the region, pending the just resolution of the question of the Palestine refugees;

4. *Calls upon* all donors to continue to strengthen their efforts to meet the anticipated needs of the Agency, including with regard to increased expenditures and needs arising from conflicts and instability in the region and the serious socioeconomic and humanitarian situation, particularly in the Occupied Palestinian Territory, and those needs mentioned in recent emergency, recovery and reconstruction appeals and plans for the Gaza Strip and in the regional crisis response plans to address the situation of Palestine refugees in the Syrian Arab Republic and those Palestine refugees who have fled to countries in the region;

5. *Commends* the Agency for its provision of vital assistance to the Palestine refugees and its role as a stabilizing factor in the region and the tireless efforts of the staff of the Agency in carrying out its mandate;

6. *Decides* to extend the mandate of the Agency until 30 June 2020, without prejudice to the provisions of paragraph 11 of General Assembly resolution 194 (III).

[3] A/48/486-S/26560, annex.

Draft resolution II
Persons displaced as a result of the June 1967 and subsequent hostilities

The General Assembly,

Recalling its resolutions 2252 (ES-V) of 4 July 1967, 2341 B (XXII) of 19 December 1967 and all subsequent related resolutions,

Recalling also Security Council resolutions 237 (1967) of 14 June 1967 and 259 (1968) of 27 September 1968,

Taking note of the report of the Secretary-General submitted in pursuance of its resolution 70/84 of 9 December 2015,[1]

Taking note also of the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 January to 31 December 2015,[2]

Concerned about the continuing human suffering resulting from the June 1967 and subsequent hostilities,

Taking note of the relevant provisions of the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993[3] with regard to the modalities for the admission of persons displaced in 1967, and concerned that the process agreed upon has not yet been effected,

Taking note also of its resolution 67/19 of 29 November 2012,

1. *Reaffirms* the right of all persons displaced as a result of the June 1967 and subsequent hostilities to return to their homes or former places of residence in the territories occupied by Israel since 1967;

2. *Stresses* the necessity for an accelerated return of displaced persons, and calls for compliance with the mechanism agreed upon by the parties in article XII of the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993[3] on the return of displaced persons;

3. *Endorses*, in the meantime, the efforts of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to continue to provide humanitarian assistance, as far as practicable, on an emergency basis, and as a temporary measure, to persons in the area who are currently displaced and in serious need of continued assistance as a result of the June 1967 and subsequent hostilities;

4. *Strongly appeals* to all Governments and to organizations and individuals to contribute generously to the Agency and to the other intergovernmental and non-governmental organizations concerned for the above-mentioned purposes;

5. *Requests* the Secretary-General, after consulting with the Commissioner-General, to report to the General Assembly before its seventy-second session on the progress made with regard to the implementation of the present resolution.

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[1] A/71/340.
[2] *Official Records of the General Assembly, Seventy-first Session, Supplement No. 13* (A/71/13).
[3] A/48/486-S/26560, annex.

Draft resolution III
Operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East

The General Assembly,

Recalling its resolutions 194 (III) of 11 December 1948, 212 (III) of 19 November 1948, 302 (IV) of 8 December 1949 and all subsequent related resolutions, including its resolution 70/85 of 9 December 2015,

Recalling also the relevant resolutions of the Security Council,

Having considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East covering the period from 1 January to 31 December 2015,[1]

Taking note of the letter dated 31 May 2016 from the Chair of the Advisory Commission of the Agency addressed to the Commissioner-General,[2] and noting the extraordinary meeting of the Commission held on 8 September 2016,

Underlining that, at a time of heightened conflict and instability in the Middle East, the Agency continues to play a vital role in ameliorating the plight of the Palestine refugees through the provision of, inter alia, essential education, health, relief and social services programmes and emergency assistance to a registered population of 5.3 million refugees whose situation has become extremely precarious, and in providing a crucial measure of stability in the region,

Deeply concerned about the extremely critical financial situation of the Agency, caused by the structural underfunding of the Agency, as well as by rising needs and expenditures resulting from the deterioration of the socioeconomic and humanitarian conditions and the conflicts and rising instability in the region and their significant negative impact on the ability of the Agency to deliver essential services to the Palestine refugees, including its emergency, recovery, reconstruction and development programmes in all fields of operation,

Taking note of the update to the special report of 3 August 2015 of the Commissioner-General, submitted pursuant to paragraph 21 of General Assembly resolution 302 (IV) and conveyed by the Secretary-General on 15 September 2016 to the President of the General Assembly, regarding the severe financial crisis of the Agency and the negative implications for the continued delivery of core Agency programmes to the Palestine refugees in all fields of operation,

Expressing appreciation for the efforts of donors and host countries to respond to the continuing financial crisis, and expressing particular appreciation to the donors that extended generous support following the special report of the Commissioner-General of 3 August 2015 and the update thereto, of 15 September 2016, while acknowledging the steadfast support of all other donors to the Agency, and stressing the need for urgent efforts to comprehensively address the recurrent funding shortfalls affecting the Agency's operations,

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[1] *Official Records of the General Assembly, Seventy-first Session, Supplement No. 13* (A/71/13).

[2] Ibid., pp. 6 and 7.

Recognizing the Agency's efforts to develop innovative and diversified means to mobilize resources, including through partnerships with international financial institutions, the private sector and civil society,

Commending the Agency for the measures taken to address the financial crisis, including internal measures to contain costs, and expressing profound concern that, despite stringent efficiency measures and controls on expenditures, the Agency's programme budget, which is funded primarily by voluntary contributions from Member States and intergovernmental organizations, faces persistent shortfalls that are increasingly threatening the delivery of the Agency's core programmes of assistance to the Palestine refugees,

Stressing the need to support the Agency's capacity to uphold its mandate and to avert the serious humanitarian, political and security risks that would result from any interruption or suspension of its vital work,

Recognizing that the recurring and growing financial shortfalls directly affecting the sustainability of the Agency's operations need to be remedied by examining new funding modalities designed to put the Agency on a stable financial footing to enable it to effectively carry out its core programmes in accordance with its mandate and commensurate with humanitarian needs,

Welcoming the affirmation in the New York Declaration for Refugees and Migrants, adopted by the General Assembly on 19 September 2016, that, inter alia, the Agency, along with other relevant organizations, requires sufficient funding to be able to carry out its activities effectively and in a predictable manner,

Welcoming also the support for the Agency reaffirmed at the ministerial meetings convened on 26 September 2015 and 4 May 2016,[3] at the high-level conference convened on 2 June 2015 in New York to commemorate the sixty-fifth anniversary of the commencement of the Agency's operations and at other high-level meetings,

Recalling Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations,[4]

Recalling also the Convention on the Safety of United Nations and Associated Personnel,[5]

Recalling further its resolutions 70/104 of 10 December 2015 on the safety and security of humanitarian personnel and the protection of United Nations personnel and 70/106 of 10 December 2015 on the strengthening of the coordination of emergency humanitarian assistance of the United Nations, calling upon, inter alia, all States to ensure respect for and the protection of all humanitarian personnel and United Nations and associated personnel, to respect the principles of humanity, neutrality, impartiality and independence for the provision of humanitarian assistance and to respect and ensure respect for the inviolability of United Nations premises,

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[3] Resolution 71/1.

[4] Resolution 22 A (I).

[5] United Nations, *Treaty Series*, vol. 2051, No. 35457.

Affirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[6] to the Palestinian territory occupied since 1967, including East Jerusalem,

Aware of the continuing needs of the Palestine refugees in all fields of operation, namely Jordan, Lebanon, the Syrian Arab Republic and the Occupied Palestinian Territory,

Bearing in mind the 2030 Agenda for Sustainable Development,[7] including the pledge that no one will be left behind, emphasizing that the Sustainable Development Goals apply to all, including refugees, and that the Agency's work in assisting the Palestine refugees is essential for their human development, and underscoring the Goals and targets on education, health care and youth, among others,

Gravely concerned about the extremely difficult socioeconomic conditions being faced by the Palestine refugees in the Occupied Palestinian Territory, including East Jerusalem, particularly in the refugee camps in the Gaza Strip, as a result of the recurrent military operations, continuing prolonged Israeli closures, the construction of settlements and the wall, and the severe economic and movement restrictions that in effect amount to a blockade, which have deepened unemployment and poverty rates among the refugees, with potentially lasting, long-term negative effects, while taking note of developments with regard to the situation of access there,

Deploring the conflict in and around the Gaza Strip in July and August 2014, and the civilian casualties caused, including the killing and injury of thousands of Palestinian civilians, including children, women and older persons, as well as the widespread destruction of or damage to thousands of homes and civilian infrastructure, including schools, hospitals, water, sanitation and electricity networks, economic, industrial and agricultural properties, public institutions, religious sites and United Nations schools and facilities, as well as the internal displacement of hundreds of thousands of civilians, and any violations of international law, including humanitarian and human rights law, in this regard,

Deploring also attacks affecting United Nations installations, including Agency schools sheltering displaced civilians, and all other breaches of the inviolability of United Nations premises during the conflict in the Gaza Strip in July and August 2014, as reported in the summary by the Secretary-General of the report of the Board of Inquiry[8] and by the independent commission of inquiry established pursuant to Human Rights Council resolution S-21/1,[9] and stressing the imperative of ensuring accountability,

Gravely concerned about the lasting negative repercussions of the military operations in the Gaza Strip between December 2008 and January 2009, in November 2012 and in July and August 2014 on the humanitarian and socioeconomic situation of the Palestine refugees in the Gaza Strip, including high rates of food insecurity, poverty, displacement and depletion of coping capacities,

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[6] Ibid., vol. 75, No. 973.

[7] Resolution 70/1.

[8] S/2015/286, annex.

[9] See A/HRC/29/52.

and taking note in this regard of the United Nations country team report of 26 August 2016, entitled "Gaza: two years after",

Commending the Agency for its extraordinary efforts to provide shelter, emergency relief, medical, food, protection and other humanitarian assistance during the military operations of July and August 2014,

Recognizing the need for the swift implementation of all aspects of the temporary tripartite agreement facilitated by the United Nations in September 2014, and stressing the urgent need for the lifting of all Israeli closures and restrictions on the Gaza Strip and for the reconstruction of destroyed homes and infrastructure,

Recalling, in this regard, its resolution ES-10/18 of 16 January 2009 and Security Council resolution 1860 (2009) of 8 January 2009, as well as the Agreement on Movement and Access of 15 November 2005,

Calling upon Israel to ensure the expedited and unimpeded import of all necessary construction materials into the Gaza Strip and to reduce the burdensome cost of importation of Agency supplies, while taking note of recent developments with regard to the tripartite agreement facilitated by the United Nations,

Expressing concern about the severe classroom shortage in the Gaza Strip and the consequent negative impact on the right to education of refugee children,

Stressing the urgent need for the advancement of reconstruction in the Gaza Strip, including by ensuring the timely facilitation of construction projects, including extensive shelter repair, and the need for the accelerated implementation of other urgent United Nations-led civilian reconstruction activities,

Welcoming contributions made to the Agency's emergency appeals for the Gaza Strip, and calling urgently upon the international community for continued support in accordance with the Agency's strategic response plan,

Urging the full disbursement of pledges made at the Cairo International Conference on Palestine: Reconstructing Gaza, held on 12 October 2014, for ensuring the provision of the necessary humanitarian assistance and accelerating the reconstruction process,

Stressing that the situation in the Gaza Strip is unsustainable and that a durable ceasefire agreement must lead to a fundamental improvement in the living conditions of the Palestinian people in the Gaza Strip, including through the sustained and regular opening of crossing points, and must ensure the safety and well-being of civilians on both sides,

Affirming the need to support the Palestinian national consensus Government in its assumption of full government responsibilities in both the West Bank and the Gaza Strip, in all fields, as well as through its presence at Gaza's crossing points,

Noting with appreciation the progress made towards rebuilding the Nahr el-Bared refugee camp, commending the Government of Lebanon, donors, the Agency and other parties concerned for the continuing efforts to assist affected and displaced refugees, and emphasizing the need for additional funding to complete the reconstruction of the camp and end without delay the displacement from the camp of thousands of residents whose shelters have not been rebuilt,

Expressing deep concern at the critical situation of Palestine refugees in the Syrian Arab Republic and at the impact of the crisis on the Agency's installations and its ability to deliver its services, and regretting profoundly the loss of life and widespread displacement among refugees and the killing of 18 staff members of the Agency in the crisis since 2012,

Emphasizing the need for increased assistance to Palestine refugees in the Syrian Arab Republic as well as those who have fled to neighbouring countries, and emphasizing the necessity of ensuring open borders for Palestine refugees fleeing the crisis in the Syrian Arab Republic, consistent with the principles of non-discrimination and non-refoulement under international law, and recalling in this regard the statement by the President of the Security Council of 2 October 2013[10] and the New York Declaration for Refugees and Migrants,

Aware of the valuable work done by the Agency in providing protection to the Palestinian people, in particular Palestine refugees, and recalling the need for the protection of all civilians in situations of armed conflict,

Deploring the endangerment of the safety of the Agency's staff and the damage and destruction caused to the facilities and properties of the Agency during the period covered by the report of the Commissioner-General, and stressing the need to maintain the neutrality and safeguard the inviolability of United Nations premises, installations and equipment at all times,

Deploring also the breaches of the inviolability of United Nations premises, the failure to accord the property and assets of the Organization immunity from any form of interference and the failure to protect United Nations personnel, premises and property,

Deploring further the killing and injury of Agency staff members by the Israeli occupying forces in the Occupied Palestinian Territory since September 2000, including the 11 Agency personnel killed during the military operations in the Gaza Strip in July and August 2014,

Deploring the killing and wounding of refugee children and women sheltering in the Agency schools by the Israeli occupying forces during the military operations of July and August 2014,

Affirming the need for accountability and compensation to victims of violations of international law in accordance with international standards by all sides,

Deeply concerned about the continuing imposition of restrictions on the freedom of movement and access of the Agency's staff, vehicles and goods, and the injury, harassment and intimidation of the Agency's staff, which undermine and obstruct the work of the Agency, including its ability to provide essential basic and emergency services,

Recalling the statement of 15 July 1999 and the declarations adopted on 5 December 2001 and on 17 December 2014[11] by the Conference of High

[10] S/PRST/2013/15; see *Resolutions and Decisions of the Security Council, 1 August 2013-31 July 2014* (S/INF/69).

[11] A/69/711-S/2015/1, annex.

Contracting Parties to the Fourth Geneva Convention, including the call upon parties to facilitate the activities of the Agency, to guarantee its protection and to refrain from levying taxes and imposing undue financial burdens,

Aware of the agreement between the Agency and the Government of Israel,

Taking note of the agreement reached on 24 June 1994, embodied in an exchange of letters between the Agency and the Palestine Liberation Organization,[12]

1. *Reaffirms* that the effective functioning of the United Nations Relief and Works Agency for Palestine Refugees in the Near East remains essential in all fields of operation;

2. *Expresses its appreciation* to the Commissioner-General of the Agency, as well as to all the staff of the Agency, for their tireless efforts and valuable work, particularly in the light of the difficult conditions, instability and crises faced during the past year;

3. *Expresses special commendation* to the Agency for the essential role that it has played for more than 65 years since its establishment in providing vital services for the well-being, human development and protection of the Palestine refugees and the amelioration of their plight and for the stability of the region, and affirms the necessity for continuing the work of the Agency and its unimpeded operation and provision of services, pending the just resolution of the question of the Palestine refugees;

4. *Commends* the Agency for its extraordinary efforts, in cooperation with other United Nations agencies on the ground, to provide emergency humanitarian assistance, including shelter, food and medical aid, to refugees and affected civilians during and since the military operations in the Gaza Strip in July and August 2014, and recognizes its exemplary capacity to mobilize in emergency situations while continuously carrying out its core human development programmes;

5. *Expresses its appreciation* for the important support and cooperation provided by the host Governments to the Agency in the discharge of its duties;

6. *Also expresses its appreciation* to the Advisory Commission of the Agency, and requests it to continue its efforts and to keep the General Assembly informed of its activities;

7. *Takes note* with appreciation of the report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East[13] and the efforts to assist in ensuring the financial security of the Agency, and requests the Secretary-General to provide the necessary services and assistance to the Working Group for the conduct of its work;

8. *Commends* the Agency for its six-year medium-term strategy for 2016-2021 and the Commissioner-General for his continuing efforts to increase the

[12] *Official Records of the General Assembly, Forty-ninth Session, Supplement No. 13* (A/49/13), annex I.

[13] A/71/350.

budgetary transparency and efficiency of the Agency, as reflected in the Agency's programme budget for the biennium 2016-2017;[14]

9. *Also commends* the Agency for sustaining its reform efforts, despite difficult operational circumstances, and recognizes its implementation of maximum efficiency procedures to reduce operational and administrative costs and to maximize the use of resources;

10. *Takes note* of the update to the special report of 3 August 2015 of the Commissioner-General, submitted pursuant to paragraph 21 of General Assembly resolution 302 (IV) and conveyed by the Secretary-General on 15 September 2016 to the President of the General Assembly, regarding the severe financial crisis of the Agency, and urges all States and international organizations to actively engage in efforts to address the conclusions and recommendations therein;

11. *Also takes note* of the letter dated 19 September 2016 from the President of the General Assembly appealing for active and collective engagement in efforts to urgently address the Agency's fragile state, including through action in support of the recommendations contained in the update to the special report;

12. *Commends* the Agency for its far-reaching measures to address its recurrent financial crisis, and encourages the Agency to continue its efforts to reduce the shortfalls in its programme budget in order to safeguard the delivery of core programmes;

13. *Calls upon* all donors and relevant stakeholders to support the Agency, with a view to ensuring a sustainable and stable financial situation for the Agency in order to safeguard core programmes, pending the just resolution of the question of the Palestine refugees;

14. *Takes note with appreciation* of the report of the Secretary-General on the strengthening of the management capacity of the Agency,[15] and urges all Member States to carefully consider the conclusions and recommendations contained therein, including the continued provision of financial resources from the regular budget of the United Nations, in the light of the recurrent funding shortfalls faced by the Agency;

15. *Endorses* the efforts of the Commissioner-General to continue to provide humanitarian assistance, as far as is practicable, on an emergency basis and as a temporary measure, to persons in the area who are internally displaced and in serious need of continuing assistance as a result of recent crises in the Agency's fields of operation;

16. *Encourages* the Agency to provide increased assistance, in accordance with its mandate, to affected Palestine refugees in the Syrian Arab Republic as well as to those who have fled to neighbouring countries, as detailed in the Syrian regional crisis response plans, and calls upon donors to urgently ensure sustained support to the Agency in this regard in the light of the continuing grave deterioration of the situation and the growing needs of the refugees;

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[14] *Official Records of the General Assembly, Seventieth Session, Supplement No. 13A* (A/70/13/Add.1).

[15] A/65/705.

17. *Welcomes* the progress made thus far by the Agency in rebuilding the Nahr el-Bared refugee camp in northern Lebanon, and calls for donor funding to enable the expeditious completion of its reconstruction, for the continued provision of relief assistance to those displaced following its destruction in 2007 and for the alleviation of their ongoing suffering through the provision of the necessary support and financial assistance until the reconstruction of the camp is complete;

18. *Encourages* the Agency, in close cooperation with other relevant United Nations entities, to continue to make progress in addressing the needs, rights and protection of children, women and persons with disabilities in its operations, including through the provision of necessary psychosocial and humanitarian support, in accordance with the Convention on the Rights of the Child,[16] the Convention on the Elimination of All Forms of Discrimination against Women[17] and the Convention on the Rights of Persons with Disabilities;[18]

19. *Recognizes* the acute protection needs of Palestine refugees across the region, and encourages the Agency's efforts to contribute to a coordinated and sustained response in accordance with international law, including the Agency's development of its protection framework and function in all field offices, including for child protection;

20. *Commends* the Agency for its provision of humanitarian and psychosocial support and other initiatives that provide recreational, cultural and educational activities for children in all fields, including in the Gaza Strip, and, recognizing their positive contribution, calls for full support for such initiatives by donor and host countries and encourages the building and strengthening of partnerships to facilitate and enhance the provision of these services;

21. *Calls upon* Israel, the occupying Power, to comply fully with the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;[6]

22. *Also calls upon* Israel to abide by Articles 100, 104 and 105 of the Charter of the United Nations and the Convention on the Privileges and Immunities of the United Nations[4] in order to ensure the safety of the personnel of the Agency, the protection of its institutions and the safeguarding of the security of its facilities in the Occupied Palestinian Territory, including East Jerusalem, at all times;

23. *Takes note* of the investigations into the incidents affecting the Agency's facilities during the conflict in the Gaza Strip in July and August 2014, and calls for ensuring accountability for all violations of international law;

24. *Urges* the Government of Israel to expeditiously reimburse the Agency for all transit charges incurred and other financial losses sustained as a result of the delays and restrictions on movement and access imposed by Israel;

25. *Calls upon* Israel particularly to cease obstructing the movement and access of the staff, vehicles and supplies of the Agency and to cease levying taxes, extra fees and charges, which affect the Agency's operations detrimentally;

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[16] United Nations, *Treaty Series*, vol. 1577, No. 27531.
[17] Ibid., vol. 1249, No. 20378.
[18] Ibid., vol. 2515, No. 44910.

26. *Reiterates its call upon* Israel to fully lift the restrictions impeding or delaying the import of necessary construction materials and supplies for the reconstruction and repair of thousands of damaged or destroyed refugee shelters, and for the implementation of suspended and urgently needed civilian infrastructure projects in refugee camps in the Gaza Strip, noting the alarming figures reflected in the United Nations country team report of 26 August 2016, entitled "Gaza: two years after";

27. *Requests* the Commissioner-General to proceed with the issuance of identification cards for Palestine refugees and their descendants in the Occupied Palestinian Territory;

28. *Notes with appreciation* the positive contribution of the Agency's microfinance and job creation programmes, encourages efforts to enhance the sustainability and benefits of microfinance services to a greater number of Palestine refugees, especially in view of the high unemployment rates affecting them, and youth in particular, welcomes the Agency's efforts to streamline costs and increase microfinance services through internal reform efforts, and calls upon the Agency, in close cooperation with the relevant agencies, to continue to contribute to the development of the economic and social stability of the Palestine refugees in all fields of operation;

29. *Reiterates its appeals* to all States, the specialized agencies and non-governmental organizations to continue and to augment their contributions to the programme budget of the Agency, to increase their special allocations for grants and scholarships for higher education to Palestine refugees and to contribute to the establishment of vocational training centres for Palestine refugees, and requests the Agency to act as the recipient and trustee for the special allocations for grants and scholarships;

30. *Urges* all States, the specialized agencies and non-governmental organizations to support the Agency's valuable and necessary work in assisting the Palestine refugees in all fields of operation by providing or increasing their contributions to the Agency in order to address the serious financial constraints and underfunding affecting its programme budget, noting that financial needs have been exacerbated by conflicts and instability in the recent period and the deteriorating humanitarian situation on the ground;

31. *Calls*, in this regard, for the full and timely funding by donors of the Agency's emergency, recovery and reconstruction programmes as set out in its emergency appeals and response plans;

32. *Requests* the Secretary-General to facilitate broad consultations with Member States, notably host countries, members of the Advisory Commission and other donors, as well as with international financial institutions, to explore all potential ways and means, including through voluntary and assessed contributions, to ensure that the Agency's funding is sufficient, predictable and sustained for the duration of its mandate, and requests the Secretary-General to report on the conclusions of those consultations and recommendations to the General Assembly by March 2017 for its consideration, without prejudice to the advice of relevant committees.

Draft resolution IV
Palestine refugees' properties and their revenues

The General Assembly,

Recalling its resolutions 194 (III) of 11 December 1948 and 36/146 C of 16 December 1981 and all its subsequent resolutions on the question,

Taking note of the report of the Secretary-General submitted pursuant to its resolution 70/86 of 9 December 2015,[1] as well as that of the United Nations Conciliation Commission for Palestine for the period from 1 September 2015 to 31 August 2016,[2]

Recalling that the Universal Declaration of Human Rights[3] and the principles of international law uphold the principle that no one shall be arbitrarily deprived of his or her property,

Recalling in particular its resolution 394 (V) of 14 December 1950, in which it directed the Conciliation Commission, in consultation with the parties concerned, to prescribe measures for the protection of the rights, property and interests of the Palestine refugees,

Noting the completion of the programme of identification and evaluation of Arab property, as announced by the Conciliation Commission in its twenty-second progress report,[4] and the fact that the Land Office had a schedule of Arab owners and a file of documents defining the location, area and other particulars of Arab property,

Expressing its appreciation for the preservation and modernization of the existing records, including the land records, of the Conciliation Commission, and stressing the importance of such records for a just resolution of the plight of the Palestine refugees in conformity with resolution 194 (III),

Recalling that, in the framework of the Middle East peace process, the Palestine Liberation Organization and the Government of Israel agreed, in the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993,[5] to commence negotiations on permanent status issues, including the important issue of the refugees,

1. *Reaffirms* that the Palestine refugees are entitled to their property and to the income derived therefrom, in conformity with the principles of equity and justice;

2. *Requests* the Secretary-General to take all appropriate steps, in consultation with the United Nations Conciliation Commission for Palestine, for the protection of Arab property, assets and property rights in Israel;

3. *Calls once again upon* Israel to render all facilities and assistance to the Secretary-General in the implementation of the present resolution;

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[1] A/71/343.

[2] A/71/335.

[3] Resolution 217 A (III).

[4] *Official Records of the General Assembly, Nineteenth Session, Annexes*, Annex No. 11, document A/5700.

[5] A/48/486-S/26560, annex.

4. *Calls upon* all the parties concerned to provide the Secretary-General with any pertinent information in their possession concerning Arab property, assets and property rights in Israel that would assist him in the implementation of the present resolution;

5. *Urges* the Palestinian and Israeli sides, as agreed between them, to deal with the important issue of Palestine refugees' properties and their revenues within the framework of the final status peace negotiations;

6. *Requests* the Secretary-General to report to the General Assembly at its seventy-second session on the implementation of the present resolution.

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Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Report of the Special Political and Decolonization Committee (Fourth Committee)

Rapporteur: Mr. Awale Ali **Kullane** (Somalia)

I. Introduction

1. At its 2nd plenary meeting, on 16 September 2016, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its seventy-first session the item entitled "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories" and to allocate it to the Special Political and Decolonization Committee (Fourth Committee).

2. The Fourth Committee held a general debate on the item at its 19th and 20th meetings, on 31 October and 1 November 2016, and took action on the item at its 23rd meeting, on 8 November.[1]

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Secretary-General on the work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (A/71/315);

(b) Report of the Secretary-General on the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and the other occupied Arab territories (A/71/321);

[1] See A/C.4/71/SR.19, A/C.4/71/SR.20 and A/C.4/71/SR.23.

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(c) Report of the Secretary-General on Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan (A/71/355);

(d) Report of the Secretary-General on Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem (A/71/364);

(e) Report of the Secretary-General on the occupied Syrian Golan (A/71/392)

(f) Note by the Secretary-General transmitting the forty-eighth report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (A/71/352);

4. At the 19th meeting, on 31 October, the representative of Sri Lanka, in his capacity as Chair of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, introduced the report of that Committee.

5. At the same meeting, the Assistant Secretary-General for Human Rights introduced the reports of the Secretary-General.

6. Also at the 19th meeting, the observer for the State of Palestine made a statement.

II. Consideration of proposals

7. At its 23rd meeting, on 8 November, the Committee was informed that the draft resolutions contained in documents A/C.4/71/L.11 to L.15 had no programme budget implications.

A. Draft resolution A/C.4/71/L.11

8. At the 23rd meeting, on 8 November, the representative of Cuba, on behalf of Algeria, Bahrain, Bolivia (Plurinational State of), Brunei Darussalam, the Comoros, Cuba, Djibouti, Ecuador, Egypt, Indonesia, Iraq, Jordan, Kuwait, Lebanon, Malaysia, Mali, Mauritania, Morocco, Nicaragua, Oman, Qatar, Saudi Arabia, Senegal, South Africa, the Sudan, Tunisia, the United Arab Emirates, Yemen, Venezuela (Bolivarian Republic of) and the State of Palestine, introduced a draft resolution entitled "Work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories" (A/C.4/71/L.11). Subsequently, Bangladesh and Maldives joined in sponsoring the draft resolution.

9. At the same meeting, the Committee adopted draft resolution A/C.4/71/L.11 by a recorded vote of 86 to 7, with 71 abstentions (see para. 20, draft resolution I). The voting was as follows:

In favour:

Afghanistan, Algeria, Angola, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Brazil, Brunei Darussalam, Burundi, Cabo Verde, Cambodia, Chad, Chile, China, Colombia, Congo, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Gabon, Gambia, Guinea, Guyana, India, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libya, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Qatar, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Singapore, South Africa, Sri Lanka, Sudan, Syrian Arab Republic, Tajikistan, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Australia, Canada, Israel, Marshall Islands, Micronesia (Federated States of), Palau, United States of America.

Abstaining:

Albania, Andorra, Argentina, Armenia, Austria, Belgium, Bosnia and Herzegovina, Botswana, Bulgaria, Cameroon, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czechia, Denmark, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Monaco, Mongolia, Montenegro, Netherlands, New Zealand, Norway, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Samoa, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay.

B. Draft resolution A/C.4/71/L.12

10. At the 23rd meeting, on 8 November, the representative of Cuba, on behalf of Algeria, Bahrain, Bolivia (Plurinational State of), Brunei Darussalam, the Comoros, Cuba, Djibouti, Ecuador, Egypt, Iraq, Jordan, Kuwait, Lebanon, Malaysia, Mali, Mauritania, Morocco, Nicaragua, Oman, Qatar, Saudi Arabia, Senegal, South Africa, the Sudan, Tunisia, the United Arab Emirates, Yemen, Venezuela (Bolivarian Republic of) and the State of Palestine, introduced a draft resolution entitled "Applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and the other occupied Arab territories" (A/C.4/71/L.12). Subsequently, Bangladesh, Indonesia and Maldives joined in sponsoring the draft resolution.

11. At the same meeting, the Committee adopted draft resolution A/C.4/71/L.12 by a recorded vote of 155 to 6, with 6 abstentions (see para. 20, draft resolution II). The voting was as follows:

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Argentina, Armenia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cabo Verde, Cambodia, Chad, Chile, China, Colombia, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czechia, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Canada, Israel, Marshall Islands, Micronesia (Federated States of), Palau, United States of America.

Abstaining:

Australia, Cameroon, Côte d'Ivoire, Paraguay, Rwanda, Togo.

C. Draft resolution A/C.4/71/L.13

12. At the 23rd meeting, on 8 November, the representative of Cuba, on behalf of Algeria, Bahrain, Belgium, Bolivia (Plurinational State of), Brunei Darussalam, Bulgaria, the Comoros, Cuba, Cyprus, Djibouti, Ecuador, Egypt, Indonesia, Iraq, Jordan, Kuwait, Lebanon, Malaysia, Mali, Mauritania, Morocco, the Netherlands, Nicaragua, Oman, Qatar, Saudi Arabia, Senegal, Serbia, South Africa, the Sudan, Tunisia, the United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen and the State of Palestine, introduced a draft resolution entitled "Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan" (A/C.4/71/L.13). Subsequently, Austria, Bangladesh, Bosnia and Herzegovina, Croatia, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Maldives, Malta, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland and the

United Kingdom of Great Britain and Northern Ireland joined in sponsoring the draft resolution.

13. At the same meeting, the Committee adopted draft resolution A/C.4/71/L.13 by a recorded vote of 153 to 6, with 7 abstentions (see para. 20, draft resolution III). The voting was as follows:

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Argentina, Armenia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cabo Verde, Cambodia, Chad, Chile, China, Colombia, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czechia, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Canada, Israel, Marshall Islands, Micronesia (Federated States of), Palau, United States of America.

Abstaining:

Australia, Cameroon, Côte d'Ivoire, Honduras, Paraguay, Rwanda, Togo.

D. Draft resolution A/C.4/71/L.14

14. At the 23rd meeting, on 8 November, the representative of Cuba, on behalf of Algeria, Bahrain, Bolivia (Plurinational State of), Brunei Darussalam, the Comoros, Cuba, Djibouti, Ecuador, Egypt, Indonesia, Iraq, Jordan, Kuwait, Lebanon, Malaysia, Mali, Mauritania, Morocco, Nicaragua, Oman, Qatar, Saudi Arabia, Senegal, South Africa, the Sudan, Tunisia, the United Arab Emirates, Venezuela (Bolivarian Republic of), Yemen and the State of Palestine, introduced a draft resolution entitled "Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem"

(A/C.4/71/L.14). Subsequently, Bangladesh and Maldives joined in sponsoring the draft resolution.

15. At the same meeting, the Committee adopted draft resolution A/C.4/71/L.14 by a recorded vote of 151 to 7, with 6 abstentions (see para. 20, draft resolution IV). The voting was as follows:

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Argentina, Armenia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burundi, Cabo Verde, Cambodia, Chad, Chile, China, Colombia, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czechia, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Australia, Canada, Israel, Marshall Islands, Micronesia (Federated States of), Palau, United States of America.

Abstaining:

Cameroon, Côte d'Ivoire, Honduras, Paraguay, Rwanda, Togo.

E. Draft resolution A/C.4/71/L.15

16. At the 23rd meeting, on 8 November, the representative of Cuba, on behalf of Algeria, Bahrain, Bangladesh, Bolivia (Plurinational State of), Brunei Darussalam, the Comoros, Cuba, the Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, Indonesia, Iraq, Jordan, Kuwait, Lebanon, Malaysia, Mali, Mauritania, Morocco, Namibia, Nicaragua, Nigeria, Oman, Qatar, Saudi Arabia, Senegal, South Africa, the Sudan, the Syrian Arab Republic, Tunisia, the United Arab Emirates, the United Republic of Tanzania, Venezuela (Bolivarian Republic of), Yemen, Zimbabwe and the State of Palestine, introduced a draft resolution entitled "The occupied Syrian Golan" (A/C.4/71/L.15).

17. At the same meeting, the Committee adopted draft resolution A/C.4/71/L.15 by a recorded vote of 153 to 1, with 13 abstentions (see para. 20, draft resolution V). The voting was as follows:

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cabo Verde, Cambodia, Chad, Chile, China, Colombia, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czechia, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Greece, Guatemala, Guinea, Guyana, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Israel.

Abstaining:

Cameroon, Canada, Côte d'Ivoire, Honduras, Marshall Islands, Micronesia (Federated States of), Palau, Paraguay, Rwanda, Togo, Tonga, United States of America, Vanuatu.

18. After the voting, statements in explanation of vote on draft resolutions A/C.4/71/L.11, A/C.4/71/L.12, A/C.4/71/L.13, A/C.4/71/L.14 and A/C.4/71/L.15 were made by the representatives of Slovakia (on behalf of the European Union) and the Russian Federation.

19. After the adoption of the draft resolutions, statements were made by the representative of the Syrian Arab Republic and the observer for the State of Palestine.

III. Recommendations of the Special Political and Decolonization Committee (Fourth Committee)

20. The Special Political and Decolonization Committee (Fourth Committee) recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I
Work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

Guided also by international humanitarian law, in particular the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[1] as well as international standards of human rights, in particular the Universal Declaration of Human Rights[2] and the International Covenants on Human Rights,[3]

Recalling its relevant resolutions, including resolutions 2443 (XXIII) of 19 December 1968 and 70/87 of 9 December 2015, and the relevant resolutions of the Human Rights Council, including resolutions S-12/1 of 16 October 2009,[4] S-21/1 of 23 July 2014[5] and 29/25 of 3 July 2015,[6]

Recalling also the relevant resolutions of the Security Council,

Taking into account the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the legal consequences of the construction of a wall in the Occupied Palestinian Territory,[7] and recalling in this regard its resolution ES-10/15 of 20 July 2004,

Recalling the statement of 15 July 1999 and the declarations adopted on 5 December 2001 and on 17 December 2014[8] by the Conference of High Contracting Parties to the Fourth Geneva Convention, and welcoming initiatives by States parties, both individually and collectively, according to article 1 of the Convention and aimed at ensuring respect for the Convention in the Occupied Palestinian Territory, including East Jerusalem,

Recalling also its resolution 58/292 of 6 May 2004,

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[1] United Nations, *Treaty Series*, vol. 75, No. 973.
[2] Resolution 217 A (III).
[3] Resolution 2200 A (XXI), annex.
[4] See *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 53A* (A/64/53/Add.1), chap. I.
[5] Ibid., *Sixty-ninth Session, Supplement No. 53* (A/69/53), chap. VI.
[6] Ibid., *Seventieth Session, Supplement No. 53* (A/70/53), chap. II.
[7] See A/ES-10/273 and Corr.1.
[8] A/69/711-S/2015/1, annex.

Taking note of the report of the independent international fact-finding mission to investigate the implications of the Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem,[9]

Taking note also of Human Rights Council resolution 31/36 of 24 March 2016,[10]

Convinced that occupation itself represents a gross and grave violation of human rights,

Noting with deep regret the onset of the fiftieth year of the Israeli occupation, and stressing the urgent need for efforts to reverse the negative trends on the ground and to restore a political horizon for advancing and accelerating meaningful negotiations aimed at the achievement of a peace agreement that will bring a complete end to the Israeli occupation that began in 1967 and the resolution of all core final status issues, without exception, leading to a peaceful, just, lasting and comprehensive solution for the question of Palestine,

Recognizing that the occupation and ensuing persistent and systematic violations of international law by Israel, including international humanitarian and human rights law, are considered to be the main sources of other Israeli violations and discriminatory policies against the Palestinian civilian population in the Occupied Palestinian Territory, including East Jerusalem,

Gravely concerned about the continuing detrimental impact of ongoing unlawful Israeli practices and measures in the Occupied Palestinian Territory, including East Jerusalem, including the excessive use of force by the Israeli occupying forces against Palestinian civilians, resulting in the death and injury of civilians and the widespread destruction of property and vital infrastructure, including during the Israeli military operations in the Gaza Strip in July and August 2014, as well as ongoing settlement activities and construction of the wall, the internal forced displacement of civilians, the imposition of collective punishment measures, particularly against the civilian population in the Gaza Strip, where continuing severe restrictions on movement amount to a blockade, and the detention and imprisonment of thousands of Palestinians,

Expressing grave concern about tensions, instability and violence in the Occupied Palestinian Territory, including East Jerusalem, due to the illegal policies and practices of Israel, the occupying Power, including, in particular, provocations and incitements regarding the holy places of Jerusalem, including the Haram al-Sharif,

Gravely concerned about all acts of violence, intimidation and provocation by Israeli settlers against Palestinian civilians and properties, including homes, mosques, churches and agricultural lands,

Gravely concerned also by reports regarding serious human rights violations and grave breaches of international humanitarian law committed during the military operations in the Gaza Strip between December 2008 and January 2009, including

[9] A/HRC/22/63.

[10] See *Official Records of the General Assembly, Seventy-first Session, Supplement No. 53* (A/71/53), chap. IV, sect. A.

the findings in the summary by the Secretary-General of the report of the Board of Inquiry[11] and in the report of the United Nations Fact-Finding Mission on the Gaza Conflict,[12] and reiterating the necessity for serious follow-up by all parties to the recommendations addressed to them towards ensuring accountability and justice,

Deploring the killing and injury of thousands of civilians, including women and children, during the military operations in the Gaza Strip in July and August 2014,

Taking note of the report of the independent commission of inquiry established pursuant to Human Rights Council resolution S-21/1,[13] and stressing the imperative of ensuring accountability for all violations of international humanitarian law and international human rights law in order to end impunity, ensure justice, deter further violations, protect civilians and promote peace,

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories[14] and the relevant reports of the Secretary-General,[15]

Recalling the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993[16] and the subsequent implementation agreements between the Palestinian and Israeli sides,

Stressing the urgency of bringing a complete end to the Israeli occupation that began in 1967 and thus an end to the violation of the human rights of the Palestinian people, and of allowing for the realization of their inalienable human rights, including their right to self-determination and their independent State,

Taking note of the application of Palestine for admission to membership in the United Nations, submitted on 23 September 2011,[17]

Recalling its resolution 67/19 of 29 November 2012, by which, inter alia, Palestine was accorded non-member observer State status in the United Nations, and taking note of the follow-up report of the Secretary-General,[18]

Noting the accession by Palestine to several human rights treaties and the core humanitarian law conventions, as well as other international treaties,

1. *Commends* the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories for its impartiality and efforts in performing the tasks assigned to it by the General Assembly in spite of the obstruction of its mandate;

2. *Reiterates* its demand that Israel, the occupying Power, cooperate, in accordance with its obligations as a State Member of the United Nations, with the

[11] See A/63/855-S/2009/250.
[12] A/HRC/12/48.
[13] A/HRC/29/52.
[14] A/71/352.
[15] A/71/321, A/71/392, A/71/315, A/71/355 and A/71/364.
[16] A/48/486-S/26560, annex.
[17] A/66/371-S/2011/592.
[18] A/67/738.

Special Committee in implementing its mandate, and deplores the continued lack of cooperation in this regard;

3. *Deplores* those policies and practices of Israel that violate the human rights of the Palestinian people and other Arabs of the occupied territories, as reflected in the report of the Special Committee covering the reporting period;[14]

4. *Expresses grave concern* about the critical situation in the Occupied Palestinian Territory, including East Jerusalem, particularly in the Gaza Strip, as a result of unlawful Israeli practices and measures, and especially condemns and calls for the immediate cessation of all illegal Israeli settlement activities and the construction of the wall, the lifting of the blockade of the Gaza Strip, as well as a complete cessation of the excessive and indiscriminate use of force and military operations against the civilian population, settler violence, the destruction and confiscation of properties, including home demolitions as a measure of reprisal, the forced displacement of civilians, all measures of collective punishment, and the detention and imprisonment of thousands of civilians;

5. *Requests* the Special Committee, pending complete termination of the Israeli occupation, to continue to investigate Israeli policies and practices in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967, especially Israeli violations of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[1] and to consult, as appropriate, with the International Committee of the Red Cross according to its regulations in order to ensure that the welfare and human rights of the peoples of the occupied territories, including prisoners and detainees, are safeguarded and to report to the Secretary-General as soon as possible and whenever the need arises thereafter;

6. *Also requests* the Special Committee to submit regularly to the Secretary-General periodic reports on the current situation in the Occupied Palestinian Territory, including East Jerusalem;

7. *Further requests* the Special Committee to continue to investigate the treatment and status of the thousands of prisoners and detainees, including children and women, in Israeli prisons and detention centres in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967, and expresses grave concern about harsh conditions and ill-treatment of prisoners and recent hunger strikes, stressing the need for respect for all applicable rules of international law, including the Fourth Geneva Convention,[1] the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)[19] and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules);[20]

8. *Requests* the Secretary-General:

(a) To provide the Special Committee with all necessary facilities, including those required for its visits to the occupied territories, so that it may investigate the Israeli policies and practices referred to in the present resolution;

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[19] Resolution 70/175, annex.

[20] Resolution 65/229, annex.

(b) To utilize his good offices to facilitate and support the Special Committee in carrying out its mandate;

(c) To continue to make available such staff as may be necessary to assist the Special Committee in the performance of its tasks;

(d) To circulate regularly to Member States the periodic reports mentioned in paragraph 6 above;

(e) To ensure the widest circulation of the reports of the Special Committee and of information regarding its activities and findings, by all means available, through the Department of Public Information of the Secretariat and, where necessary, to reprint those reports of the Special Committee that are no longer available;

(f) To report to the General Assembly at its seventy-second session on the tasks entrusted to him in the present resolution;

9. *Decides* to include in the provisional agenda of its seventy-second session the item entitled "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories".

Draft resolution II
Applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and the other occupied Arab territories

The General Assembly,

Recalling its relevant resolutions, including resolution 70/88 of 9 December 2015,

Bearing in mind the relevant resolutions of the Security Council,

Recalling the Regulations annexed to the Hague Convention IV of 1907, the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[1] and relevant provisions of customary law, including those codified in Additional Protocol I[2] to the four Geneva Conventions,[3]

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories[4] and the relevant reports of the Secretary-General,[5]

Considering that the promotion of respect for the obligations arising from the Charter of the United Nations and other instruments and rules of international law is among the basic purposes and principles of the United Nations,

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice,[6] and also recalling General Assembly resolution ES-10/15 of 20 July 2004,

Noting in particular the Court's reply, including that the Fourth Geneva Convention[1] is applicable in the Occupied Palestinian Territory, including East Jerusalem, and that Israel is in breach of several of the provisions of the Convention,

Recalling the Conference of High Contracting Parties to the Fourth Geneva Convention on measures to enforce the Convention in the Occupied Palestinian Territory, including East Jerusalem, held on 15 July 1999, as well as the declarations adopted by the reconvened Conference on 5 December 2001 and on 17 December 2014,[7] and the urgent need for the parties to follow up the implementation of those declarations,

Welcoming and encouraging the initiatives by States parties to the Convention, both individually and collectively, according to article 1 common to the four Geneva Conventions, aimed at ensuring respect for the Convention, as well as the continuing efforts of the depositary State of the Geneva Conventions in this regard,

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[1] United Nations, *Treaty Series*, vol. 75, No. 973.
[2] Ibid., vol. 1125, No. 17512.
[3] Ibid., vol. 75, Nos. 970-973.
[4] A/70/406 and Corr.1.
[5] A/70/133, A/70/312, A/70/341, A/70/351 and A/70/421.
[6] See A/ES-10/273 and Corr.1.
[7] A/69/711-S/2015/1, annex.

Noting the accession by Palestine on 1 April 2014 to the Geneva Conventions and Additional Protocol I,

Stressing that Israel, the occupying Power, should comply strictly with its obligations under international law, including international humanitarian law,

1. *Reaffirms* that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[1] is applicable to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;

2. *Demands* that Israel accept the de jure applicability of the Convention in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967, and that it comply scrupulously with the provisions of the Convention;

3. *Calls upon* all High Contracting Parties to the Convention, in accordance with article 1 common to the four Geneva Conventions[3] and as mentioned in the advisory opinion of the International Court of Justice of 9 July 2004,[6] to continue to exert all efforts to ensure respect for its provisions by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;

4. *Notes* the reconvening by Switzerland, the depositary State, of the Conference of High Contracting Parties to the Fourth Geneva Convention on 17 December 2014, and calls for efforts to uphold the obligations reaffirmed in the declarations adopted on 5 December 2001 and 17 December 2014;[7]

5. *Welcomes* initiatives by States parties, in accordance with article 1 of the Convention, aimed at ensuring respect for the Convention;

6. *Reiterates* the need for speedy implementation of the relevant recommendations contained in the resolutions adopted by the General Assembly, including at its tenth emergency special session and including resolution ES-10/15, with regard to ensuring respect by Israel, the occupying Power, for the provisions of the Convention;

7. *Requests* the Secretary-General to report to the General Assembly at its seventy-second session on the implementation of the present resolution.

Draft resolution III
Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan

The General Assembly,

Guided by the principles of the Charter of the United Nations, and affirming the inadmissibility of the acquisition of territory by force,

Recalling its relevant resolutions, including resolution 70/89 of 9 December 2015, as well as those resolutions adopted at its tenth emergency special session,

Recalling also the relevant resolutions of the Security Council, including resolutions 242 (1967) of 22 November 1967, 446 (1979) of 22 March 1979, 465 (1980) of 1 March 1980, 476 (1980) of 30 June 1980, 478 (1980) of 20 August 1980, 497 (1981) of 17 December 1981 and 904 (1994) of 18 March 1994,

Reaffirming the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[1] to the Occupied Palestinian Territory, including East Jerusalem, and to the occupied Syrian Golan,

Affirming that the transfer by the occupying Power of parts of its own civilian population into the territory it occupies constitutes a breach of the Fourth Geneva Convention[1] and relevant provisions of customary law, including those codified in Additional Protocol I[2] to the four Geneva Conventions,[3]

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the legal consequences of the construction of a wall in the Occupied Palestinian Territory,[4] and recalling also General Assembly resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

Noting that the International Court of Justice concluded that "the Israeli settlements in the Occupied Palestinian Territory (including East Jerusalem) have been established in breach of international law",[5]

Taking note of the recent reports of the Special Rapporteur of the Human Rights Council on the situation of human rights in the Palestinian territories occupied since 1967,[6]

Recalling the report of the independent international fact-finding mission to investigate the implications of the Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem,[7]

Recalling also the statement of 15 July 1999 and the declarations adopted on 5 December 2001 and on 17 December 2014[8] by the Conference of High

[1] United Nations, *Treaty Series*, vol. 75, No. 973.
[2] Ibid., vol. 1125, No. 17512.
[3] Ibid., vol. 75, Nos. 970-973.
[4] See A/ES-10/273 and Corr.1.
[5] Ibid., advisory opinion, para. 120.
[6] A/HRC/31/73; see also A/71/554.
[7] A/HRC/22/63.
[8] A/69/711-S/2015/1, annex.

Contracting Parties to the Fourth Geneva Convention on measures to enforce the Convention in the Occupied Palestinian Territory, including East Jerusalem, aimed at ensuring respect for the Convention in the Occupied Palestinian Territory, including East Jerusalem,

Recalling further the Declaration of Principles on Interim Self-Government Arrangements of 13 September 1993[9] and the subsequent implementation agreements between the Palestinian and Israeli sides,

Recalling the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,[10] and emphasizing specifically its call for a freeze on all settlement activity, including so-called natural growth, and the dismantlement of all settlement outposts erected since March 2001, and the need for Israel to uphold its obligations and commitments in this regard,

Recalling also its resolution 67/19 of 29 November 2012,

Noting the accession by Palestine to several human rights treaties and the core humanitarian law conventions, as well as other international treaties,

Aware that Israeli settlement activities involve, inter alia, the transfer of nationals of the occupying Power into the occupied territories, the confiscation of land, the forced transfer of Palestinian civilians, including Bedouin families, the exploitation of natural resources, the fragmentation of territory and other actions against the Palestinian civilian population and the civilian population in the occupied Syrian Golan that are contrary to international law,

Bearing in mind the extremely detrimental impact of Israeli settlement policies, decisions and activities on the ongoing regional and international efforts to resume and advance the peace process, on the prospects for the achievement of peace in the Middle East in accordance with the two-State solution of Israel and Palestine, living side by side in peace and security within recognized borders, on the basis of the pre-1967 borders, and on the viability and credibility of that solution,

Expressing grave concern about the continuation by Israel, the occupying Power, of settlement activities in the Occupied Palestinian Territory, including East Jerusalem, and condemning those activities as violations of international humanitarian law, relevant United Nations resolutions, the agreements reached between the parties and obligations under the Quartet road map and as actions in defiance of the calls by the international community to cease all settlement activities,

Condemning settlement activities in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan and any activities involving the confiscation of land, the disruption of the livelihood of protected persons, the forced transfer of civilians and the de facto annexation of land,

Deploring in particular Israel's construction and expansion of settlements in and around occupied East Jerusalem, including its so-called E-1 plan that aims to connect its illegal settlements around and further isolate occupied East Jerusalem, the continuing demolition of Palestinian homes and eviction of Palestinian families

[9] A/48/486-S/26560, annex.

[10] S/2003/529, annex.

from the city, the revocation of Palestinian residency rights in the city, and ongoing settlement activities in the Jordan Valley, all of which further fragment and undermine the contiguity of the Occupied Palestinian Territory,

Taking note of the Quartet report of 1 July 2016,[11] and stressing its recommendations, as well as its recent statements, including of 30 September 2015, 23 October 2015, 12 February 2016 and 23 September 2016, in which the Quartet members concluded that, inter alia, the continuing policy of settlement construction and expansion, designation of land for exclusive Israeli use and denial of Palestinian development, including the recent high rate of demolitions, are steadily eroding the two-State solution,

Deploring the continuing unlawful construction by Israel of the wall inside the Occupied Palestinian Territory, including in and around East Jerusalem, and expressing its concern, in particular, about the route of the wall in departure from the Armistice Line of 1949, which is causing humanitarian hardship and a serious decline of socioeconomic conditions for the Palestinian people, is fragmenting the territorial contiguity of the Territory and undermining its viability, and could prejudge future negotiations and make the two-State solution physically impossible to implement,

Deeply concerned that the wall's route has been traced in such a way as to include the great majority of the Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem,

Condemning acts of violence and terror against civilians on both sides, and recalling the need to end all acts of violence, including acts of terror, provocation, incitement and destruction,

Condemning also all acts of violence, destruction, harassment, provocation and incitement by Israeli settlers in the Occupied Palestinian Territory, including East Jerusalem, against Palestinian civilians, including children, and their properties, including historic and religious sites, and agricultural lands, as well as acts of terror by several extremist Israeli settlers, and calling for accountability for the illegal actions perpetrated in this regard,

Taking note of the relevant reports of the Secretary-General,[12]

Noting the special meeting of the Security Council convened on 26 September 2008, as well as the meeting of the Council of 18 February 2011,

1. *Reaffirms* that the Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan are illegal and an obstacle to peace and economic and social development;

2. *Calls upon* Israel to accept the de jure applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[1] to the Occupied Palestinian Territory, including East Jerusalem, and to the occupied Syrian Golan and to abide scrupulously by the provisions of the Convention, in particular article 49, and to comply with all of its obligations under international law and cease immediately all actions causing the alteration of the

[11] S/2016/595, annex.

[12] A/71/315, A/71/321, A/71/352, A/71/355, A/71/364 and A/71/392.

character, status and demographic composition of the Occupied Palestinian Territory, including East Jerusalem, and of the occupied Syrian Golan;

3. *Reiterates its demand* for the immediate and complete cessation of all Israeli settlement activities in all of the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, and calls in this regard for the full implementation of all the relevant resolutions of the Security Council, including, inter alia, resolutions 446 (1979), 452 (1979) of 20 July 1979, 465 (1980), 476 (1980) and 1515 (2003) of 19 November 2003;

4. *Calls* for the consideration of measures of accountability, in accordance with international law, in the case of continued non-compliance, stressing that compliance with and respect for international humanitarian law and international human rights law is a cornerstone for peace and security in the region;

5. *Stresses* that a complete cessation of all Israeli settlement activities is essential for salvaging the two-State solution on the basis of the pre-1967 borders, and calls for affirmative steps to be taken immediately to reverse the negative trends on the ground that are imperilling the viability of the two-State solution;

6. *Demands* that Israel, the occupying Power, comply with its legal obligations, as mentioned in the advisory opinion rendered on 9 July 2004 by the International Court of Justice;[4]

7. *Reiterates its call* for the prevention of all acts of violence, destruction, harassment and provocation by Israeli settlers, especially against Palestinian civilians and their properties, including historic and religious sites and including in Occupied East Jerusalem, and their agricultural lands;

8. *Calls for* accountability for the illegal actions perpetrated by Israeli settlers in the Occupied Palestinian Territory, and stresses in this regard the need for the implementation of Security Council resolution 904 (1994), in which the Council called upon Israel, the occupying Power, to continue to take and implement measures, including the confiscation of arms, aimed at preventing illegal acts of violence by Israeli settlers, and called for measures to be taken to guarantee the safety and protection of the Palestinian civilians in the occupied territory;

9. *Stresses* the responsibility of Israel, the occupying Power, to investigate all acts of settler violence against Palestinian civilians and their properties and to ensure accountability for these acts;

10. *Encourages* all States and international organizations to continue to actively pursue policies that ensure respect for their obligations under international law with regard to all illegal Israeli practices and measures in the Occupied Palestinian Territory, including East Jerusalem, particularly Israeli settlement activities;

11. *Recalls*, in this regard, the statement of 15 July 1999 and the declarations adopted on 5 December 2001 and on 17 December 2014[5] by the Conference of High Contracting Parties to the Fourth Geneva Convention on measures to enforce the Convention in the Occupied Palestinian Territory, including East Jerusalem, and welcomes in this regard initiatives by States parties, both individually and collectively, in accordance with article 1 of the Convention, aimed at ensuring respect for the Convention;

12. *Calls upon* the relevant United Nations bodies to take all necessary measures and actions within their mandates to ensure full respect for and compliance with Human Rights Council resolution 17/4 of 16 June 2011,[13] concerning the Guiding Principles on Business and Human Rights[14] and other relevant international laws and standards, and to ensure the implementation of the United Nations "Protect, Respect and Remedy" Framework, which provides a global standard for upholding human rights in relation to business activities that are connected with Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem;

13. *Requests* the Secretary-General to report to the General Assembly at its seventy-second session on the implementation of the present resolution.

[13] See *Official Records of the General Assembly, Sixty-sixth Session, Supplement No. 53* (A/66/53), chap. III, sect. A.

[14] A/HRC/17/31, annex.

Draft resolution IV
Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem

The General Assembly,

Recalling the Universal Declaration of Human Rights,[1]

Recalling also the International Covenant on Civil and Political Rights,[2] the International Covenant on Economic, Social and Cultural Rights[2] and the Convention on the Rights of the Child,[3] and affirming that these human rights instruments must be respected in the Occupied Palestinian Territory, including East Jerusalem,

Reaffirming its relevant resolutions, including resolution 70/90 of 9 December 2015 as well as those adopted at its tenth emergency special session,

Recalling the relevant resolutions of the Human Rights Council,

Recalling also the relevant resolutions of the Security Council, and stressing the need for their implementation,

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories[4] and the report of the Secretary-General on the work of the Special Committee,[5]

Taking note of the recent reports of the Special Rapporteur of the Human Rights Council on the situation of human rights in the Palestinian territories occupied since 1967,[6] as well as of other relevant recent reports of the Human Rights Council,

Taking note also of the recent report by the Economic and Social Commission for Western Asia on the economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem, and the Arab population in the occupied Syrian Golan,[7]

Deeply regretting the onset of the fiftieth year of the Israeli occupation, and stressing the urgent need for efforts to reverse the negative trends on the ground and to restore a political horizon for advancing and accelerating meaningful negotiations aimed at the achievement of a peace agreement that will bring a complete end to the Israeli occupation that began in 1967 and the resolution of all core final status issues, without exception, leading to a peaceful, just, lasting and comprehensive solution of the question of Palestine,

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[1] Resolution 217 A (III).
[2] See resolution 2200 A (XXI), annex.
[3] United Nations, *Treaty Series*, vol. 1577, No. 27531.
[4] A/71/352.
[5] A/71/315.
[6] A/HRC/28/78 and A/HRC/31/73; see also A/71/554.
[7] A/71/86-E/2016/13.

Aware of the responsibility of the international community to promote human rights and ensure respect for international law, and recalling in this regard its resolution 2625 (XXV) of 24 October 1970,

Recalling the advisory opinion rendered on 9 July 2004 by the International Court of Justice,[8] and recalling also General Assembly resolutions ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006,

Noting in particular the Court's reply, including that the construction of the wall being built by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, and its associated regime are contrary to international law,

Taking note of its resolution 67/19 of 29 November 2012,

Noting the accession by Palestine to several human rights treaties and the core humanitarian law conventions, as well as other international treaties,

Reaffirming the principle of the inadmissibility of the acquisition of territory by force,

Reaffirming also the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[9] to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967,

Reaffirming further the obligation of the States parties to the Fourth Geneva Convention[9] under articles 146, 147 and 148 with regard to penal sanctions, grave breaches and responsibilities of the High Contracting Parties,

Recalling the statement of 15 July 1999 and the declarations adopted on 5 December 2001 and on 17 December 2014[10] by the Conference of High Contracting Parties to the Fourth Geneva Convention on measures to enforce the Convention in the Occupied Palestinian Territory, including East Jerusalem, aimed at ensuring respect for the Convention in the Occupied Palestinian Territory, including East Jerusalem,

Reaffirming that all States have the right and the duty to take actions in conformity with international law and international humanitarian law to counter deadly acts of violence against their civilian population in order to protect the lives of their citizens,

Stressing the need for full compliance with the Israeli-Palestinian agreements reached within the context of the Middle East peace process, including the Sharm el-Sheikh understandings, and the implementation of the Quartet road map to a permanent two-State solution to the Israeli-Palestinian conflict,[11]

Stressing also the need for the full implementation of the Agreement on Movement and Access and the Agreed Principles for the Rafah Crossing, both of

[8] See A/ES-10/273 and Corr.1.
[9] United Nations, *Treaty Series*, vol. 75, No. 973.
[10] A/69/711-S/2015/1, annex.
[11] S/2003/529, annex.

15 November 2005, to allow for the freedom of movement of the Palestinian civilian population within and into and out of the Gaza Strip,

Gravely concerned by the tensions and violence in the recent period throughout the Occupied Palestinian Territory, including East Jerusalem and including with regard to the holy places of Jerusalem, including the Haram al-Sharif, and deploring the loss of innocent civilian life,

Recognizing that security measures alone cannot remedy the escalating tensions, instability and violence, and calling for full respect for international law, including humanitarian and human rights law, including for the protection of civilian life, as well as for the promotion of human security, the de-escalation of the situation, the exercise of restraint, including from provocative actions and rhetoric, and the establishment of a stable environment conducive to the pursuit of peace,

Expressing grave concern about the continuing systematic violation of the human rights of the Palestinian people by Israel, the occupying Power, including that arising from the excessive use of force and military operations causing death and injury to Palestinian civilians, including children, women and non-violent, peaceful demonstrators; the arbitrary imprisonment and detention of Palestinians, some of whom have been imprisoned for decades; the use of collective punishment; the closure of areas; the confiscation of land; the establishment and expansion of settlements; the construction of a wall in the Occupied Palestinian Territory in departure from the Armistice Line of 1949; the destruction of property and infrastructure; the forced displacement of civilians, including attempts at forced transfers of Bedouin communities; and all other actions by it designed to change the legal status, geographical nature and demographic composition of the Occupied Palestinian Territory, including East Jerusalem,

Gravely concerned by the ongoing demolition of Palestinian homes, as well as of structures provided as humanitarian aid, by Israel, the occupying Power, in particular in Occupied East Jerusalem, including if carried out as an act of collective punishment in violation of international humanitarian law, which has escalated at unprecedented rates, and by the revocation of residence permits and eviction of Palestinian residents of the City,

Deploring the conflict in and around the Gaza Strip in July and August 2014 and the civilian casualties caused, including the killing and injury of thousands of Palestinian civilians, including children, women and the elderly, the widespread destruction of thousands of homes and civilian infrastructure, including schools, hospitals, water, sanitation and electricity networks, economic, industrial and agricultural properties, public institutions, religious sites, and United Nations schools and facilities, the internal displacement of hundreds of thousands of civilians, and any violations of international law, including humanitarian and human rights law, in this regard,

Gravely concerned about the disastrous humanitarian situation and the critical socioeconomic and security situation in the Gaza Strip, including that resulting from the prolonged closures and severe economic and movement restrictions that in effect amount to a blockade and deepen poverty and despair among the Palestinian civilian population, and from the continuing and vastly negative repercussions of the

military operations between December 2008 and January 2009, in November 2012 and in July and August 2014, as well as about the firing of rockets into Israel,

Recalling the statement by the President of the Security Council of 28 July 2014,[12]

Stressing the need for the full implementation by all parties of Security Council resolution 1860 (2009) of 8 January 2009 and General Assembly resolution ES-10/18 of 16 January 2009,

Stressing also that the situation in the Gaza Strip is unsustainable and that a durable ceasefire agreement must lead to a fundamental improvement in the living conditions of the Palestinian people in the Gaza Strip, including through the sustained and regular opening of crossing points, and ensure the safety and well-being of civilians on both sides, and regretting the lack of progress made in this regard,

Gravely concerned by reports regarding serious human rights violations and grave breaches of international humanitarian law committed during the military operations in the Gaza Strip between December 2008 and January 2009, including the findings in the summary by the Secretary-General of the report of the Board of Inquiry[13] and in the report of the United Nations Fact-finding Mission on the Gaza Conflict,[14] and the findings of the United Nations Headquarters Board of Inquiry into certain incidents that occurred in the Gaza Strip between 8 July and 26 August 2014[15] and of the independent commission of inquiry established pursuant to Human Rights Council resolution S-21/1,[16] and reiterating the necessity for serious follow-up by all parties of the recommendations addressed to them towards ensuring accountability and justice,

Stressing the need for protection of human rights defenders engaged in the promotion of human rights issues in the Occupied Palestinian Territory, including East Jerusalem, to allow them to carry out their work freely and without fear of attacks and harassment,

Expressing deep concern about the short- and long-term detrimental impact of widespread destruction and the continued impeding of the reconstruction process by Israel, the occupying Power, on the human rights situation and on the socioeconomic and humanitarian conditions of the Palestinian civilian population,

Taking note in this regard of the United Nations country team report of 26 August 2016, entitled "Gaza: two years after", and the alarming figures therein,

Expressing deep concern about the Israeli policy of closures and the imposition of severe restrictions, including through hundreds of obstacles to movement, checkpoints and a permit regime, all of which obstruct the freedom of movement of persons and goods, including medical and humanitarian goods, and the follow-up and access to donor-funded projects of development cooperation and

[12] S/PRST/2014/13; see *Resolutions and Decisions of the Security Council, 1 August 2013-31 July 2014* (S/INF/69).

[13] See A/63/855-S/2009/250.

[14] A/HRC/12/48.

[15] See S/2015/286, annex.

[16] A/HRC/29/52.

humanitarian assistance, throughout the Occupied Palestinian Territory, including East Jerusalem, and impair the Territory's contiguity, consequently violating the human rights of the Palestinian people and negatively impacting their socioeconomic and humanitarian situation, which remains dire in the Gaza Strip, and the efforts aimed at rehabilitating and developing the Palestinian economy, while taking note of developments with regard to the situation of access there and the resumption of some trade from Gaza to the West Bank for the first time since 2007, and calling for the full lifting of restrictions,

Expressing grave concern that thousands of Palestinians, including many children and women, continue to be held in Israeli prisons or detention centres under harsh conditions, including, inter alia, unhygienic conditions, solitary confinement, the extensive use of administrative detention of excessive duration without charge and denial of due process, lack of proper medical care and widespread medical neglect, including for prisoners who are ill, with the risk of fatal consequences, and denial of family visits, that impair their well-being, and expressing grave concern also about the ill-treatment and harassment and all reports of torture of any Palestinian prisoners,

Expressing deep concern about the recent hunger strikes by numerous Palestinian prisoners in protest of the harsh conditions of their imprisonment and detention by the occupying Power, while taking note of the agreement reached in May 2012 on conditions of detention in Israeli prisons and calling for its full and immediate implementation,

Recalling the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)[17] and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules),[18] and calling for respect for those Rules,

Recalling also the prohibition under international humanitarian law of the deportation of civilians from occupied territories,

Deploring the practice of withholding the bodies of those killed, and calling for the release of the bodies that have not yet been returned to their relatives, in line with international humanitarian law and human rights law, in order to ensure dignified closure in accordance with their religious beliefs and traditions,

Stressing the need for the prevention of all acts of violence, harassment, provocation and incitement by extremist Israeli settlers and groups of armed settlers, especially against Palestinian civilians, including children, and their properties, including homes, agricultural lands and historic and religious sites, including in Occupied East Jerusalem, and deploring the violation of the human rights of Palestinians in this regard, including acts of violence leading to death and injury among civilians,

Convinced of the need for an international presence to monitor the situation, to contribute to ending the violence and protecting the Palestinian civilian population and to help the parties to implement the agreements reached, and in this regard

[17] Resolution 70/175, annex.
[18] Resolution 65/229, annex.

recalling the positive contribution of the Temporary International Presence in Hebron,

Noting the continued efforts and tangible progress made in the Palestinian security sector, and noting also the continued cooperation that benefits both Palestinians and Israelis, in particular by promoting security and building confidence, and expressing the hope that such progress will be extended to all major population centres,

Urging the parties to observe calm and restraint and to refrain from provocative actions, incitement and inflammatory rhetoric, especially in areas of religious and cultural sensitivity, including in East Jerusalem, and to take every possible step to defuse tensions and promote conditions conducive to the credibility and success of the peace negotiations,

Emphasizing the right of all people in the region to the enjoyment of human rights as enshrined in the international human rights covenants,

1. *Reiterates* that all measures and actions taken by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, in violation of the relevant provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[9] and contrary to the relevant resolutions of the Security Council, are illegal and have no validity;

2. *Demands* that Israel, the occupying Power, cease all practices and actions that violate the human rights of the Palestinian people, including the killing and injury of civilians, the arbitrary detention and imprisonment of civilians, the forced displacement of civilians, including attempts at forced transfers of Bedouin communities, the destruction and confiscation of civilian property, including home demolitions, including if carried out as collective punishment in violation of international humanitarian law, and any obstruction of humanitarian assistance, and that it fully respect human rights law and comply with its legal obligations in this regard, including in accordance with relevant United Nations resolutions;

3. *Also demands* that Israel, the occupying Power, comply fully with the provisions of the Fourth Geneva Convention of 1949[9] and cease immediately all measures and actions taken in violation and in breach of the Convention;

4. *Calls for* urgent measures to ensure the safety and protection of the Palestinian civilian population in the Occupied Palestinian Territory, including East Jerusalem, in accordance with the relevant provisions of international humanitarian law and as called for by the Security Council in its resolution 904 (1994) of 18 March 1994;

5. *Also calls for* full cooperation by Israel with the relevant special rapporteurs and other relevant mechanisms and inquiries of the Human Rights Council, including the facilitation of entry to the Occupied Palestinian Territory, including East Jerusalem, for monitoring and reporting on the human rights situation therein according to their respective mandates;

6. *Demands* that Israel, the occupying Power, cease all of its settlement activities, the construction of the wall and any other measures aimed at altering the character, status and demographic composition of the Occupied Palestinian Territory, including in and around East Jerusalem, all of which, inter alia, gravely

and detrimentally impact the human rights of the Palestinian people, and the prospects for achieving without delay an end to the Israeli occupation that began in 1967 and a just, lasting and comprehensive peace settlement between the Palestinian and Israeli sides;

7. *Calls for* urgent attention to the plight and the rights, in accordance with international law, of Palestinian prisoners and detainees in Israeli jails, including those on hunger strike, calls for efforts between the two sides for the further release of prisoners and detainees, and also calls for respect for the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)[17] and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules);[18]

8. *Condemns* all acts of violence, including all acts of terror, provocation, incitement and destruction, especially the excessive use of force by the Israeli occupying forces against Palestinian civilians, particularly in the Gaza Strip, which have caused extensive loss of life and vast numbers of injuries, including among thousands of children and women, massive damage and destruction to homes, economic, industrial and agricultural properties, vital infrastructure, including water, sanitation and electricity networks, religious sites and public institutions, including hospitals and schools, and United Nations facilities, and agricultural lands, and large-scale internal displacement of civilians;

9. *Expresses grave concern* at the firing of rockets against Israeli civilian areas resulting in loss of life and injury;

10. *Reiterates its demand* for the full implementation of Security Council resolution 1860 (2009);

11. *Demands* that Israel, the occupying Power, comply with its legal obligations under international law, as mentioned in the advisory opinion rendered on 9 July 2004 by the International Court of Justice[9] and as demanded in General Assembly resolutions ES-10/15 and ES-10/13 of 21 October 2003, and that it immediately cease the construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem, dismantle forthwith the structure situated therein, repeal or render ineffective all legislative and regulatory acts relating thereto, and make reparations for all damage caused by the construction of the wall, which has gravely impacted the human rights and the socioeconomic living conditions of the Palestinian people;

12. *Reiterates* the need for respect for the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory and for guarantees of the freedom of movement of persons and goods within the Palestinian territory, including movement into and from East Jerusalem, into and from the Gaza Strip, between the West Bank and the Gaza Strip, and to and from the outside world;

13. *Calls upon* Israel, the occupying Power, to cease its imposition of prolonged closures and economic and movement restrictions, including those amounting to a blockade on the Gaza Strip, and in this regard to fully implement the Agreement on Movement and Access and the Agreed Principles for the Rafah Crossing, both of 15 November 2005, in order to allow for the sustained and regular movement of persons and goods and for the acceleration of long overdue and

massive reconstruction needs and economic recovery in the Gaza Strip, while noting the recent tripartite agreement facilitated by the United Nations in this regard;

14. *Urges* Member States to continue to provide emergency assistance to the Palestinian people to alleviate the financial crisis and the dire socioeconomic and humanitarian situation, particularly in the Gaza Strip;

15. *Emphasizes* the need to preserve and develop the Palestinian institutions and infrastructure for the provision of vital public services to the Palestinian civilian population and the promotion of human rights, including civil, political, economic, social and cultural rights, and welcomes in this regard the formation of the Palestinian national consensus government under the leadership of President Mahmoud Abbas, consistent with the Palestine Liberation Organization commitments and the Quartet principles;

16. *Urges* all States and the specialized agencies and organizations of the United Nations system to continue to support and assist the Palestinian people in the early realization of their inalienable human rights, including their right to self-determination, as a matter of urgency, in the light of the onset of the fiftieth year of the Israeli occupation and the continued denial and violation of the human rights of the Palestinian people;

17. *Requests* the Secretary-General to report to the General Assembly at its seventy-second session on the implementation of the present resolution.

Draft resolution V
The occupied Syrian Golan

The General Assembly,

Having considered the report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories,[1]

Deeply concerned that the Syrian Golan, occupied since 1967, has been under continued Israeli military occupation,

Recalling Security Council resolution 497 (1981) of 17 December 1981,

Recalling also its previous relevant resolutions, the most recent of which was resolution 70/91 of 9 December 2015,

Having considered the report of the Secretary-General submitted in pursuance of resolution 70/91,[2]

Recalling its previous relevant resolutions in which, inter alia, it called upon Israel to put an end to its occupation of the Arab territories,

Reaffirming once more the illegality of the decision of 14 December 1981 taken by Israel to impose its laws, jurisdiction and administration on the occupied Syrian Golan, which has resulted in the effective annexation of that territory,

Reaffirming that the acquisition of territory by force is inadmissible under international law, including the Charter of the United Nations,

Reaffirming also the applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[3] to the occupied Syrian Golan,

Bearing in mind Security Council resolution 237 (1967) of 14 June 1967,

Welcoming the convening at Madrid of the Peace Conference on the Middle East on the basis of Security Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973 aimed at the realization of a just, comprehensive and lasting peace, and expressing grave concern about the stalling of the peace process on all tracks,

1. *Calls upon* Israel, the occupying Power, to comply with the relevant resolutions on the occupied Syrian Golan, in particular Security Council resolution 497 (1981), in which the Council, inter alia, decided that the Israeli decision to impose its laws, jurisdiction and administration on the occupied Syrian Golan was null and void and without international legal effect and demanded that Israel, the occupying Power, rescind forthwith its decision;

2. *Also calls upon* Israel to desist from changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Golan and in particular to desist from the establishment of settlements;

[1] A/71/352.
[2] A/71/392.
[3] United Nations, *Treaty Series*, vol. 75, No. 973.

3. *Determines* that all legislative and administrative measures and actions taken or to be taken by Israel, the occupying Power, that purport to alter the character and legal status of the occupied Syrian Golan are null and void, constitute a flagrant violation of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[3] and have no legal effect;

4. *Calls upon* Israel to desist from imposing Israeli citizenship and Israeli identity cards on the Syrian citizens in the occupied Syrian Golan, and from its repressive measures against the population of the occupied Syrian Golan;

5. *Deplores* the violations by Israel of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

6. *Calls once again upon* Member States not to recognize any of the legislative or administrative measures and actions referred to above;

7. *Requests* the Secretary-General to report to the General Assembly at its seventy-second session on the implementation of the present resolution.